

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



Planning Committee

Agenda

Monday, 5th December, 2022
at 9.30 am

in the

Assembly Room
Town Hall
King's Lynn

Also available to view at:

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



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

PLANNING COMMITTEE AGENDA

Please 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, 5th December, 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 Meetings held on 7 November 2022 and 18 November 2022 (previously circulated).

3. DECLARATIONS OF INTEREST

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

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

Councillor appointed representatives on the Internal Drainage Boards are noted.

4. URGENT BUSINESS UNDER STANDING ORDER 7

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

5. MEMBERS ATTENDING UNDER STANDING ORDER 34

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

6. CHAIRMAN'S CORRESPONDENCE

To receive any Chairman's correspondence.

7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS

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

8. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

a) Decisions on Applications (Pages 8 - 118)

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

9. DELEGATED DECISIONS (Pages 119 - 144)

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, M Howland, C Hudson, B Lawton, C Manning, E Nockolds, T Parish, S Patel, J Rust, Mrs V Spikings (Chair), 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 8 December 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 2nd December 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 5 DECEMBER 2022**

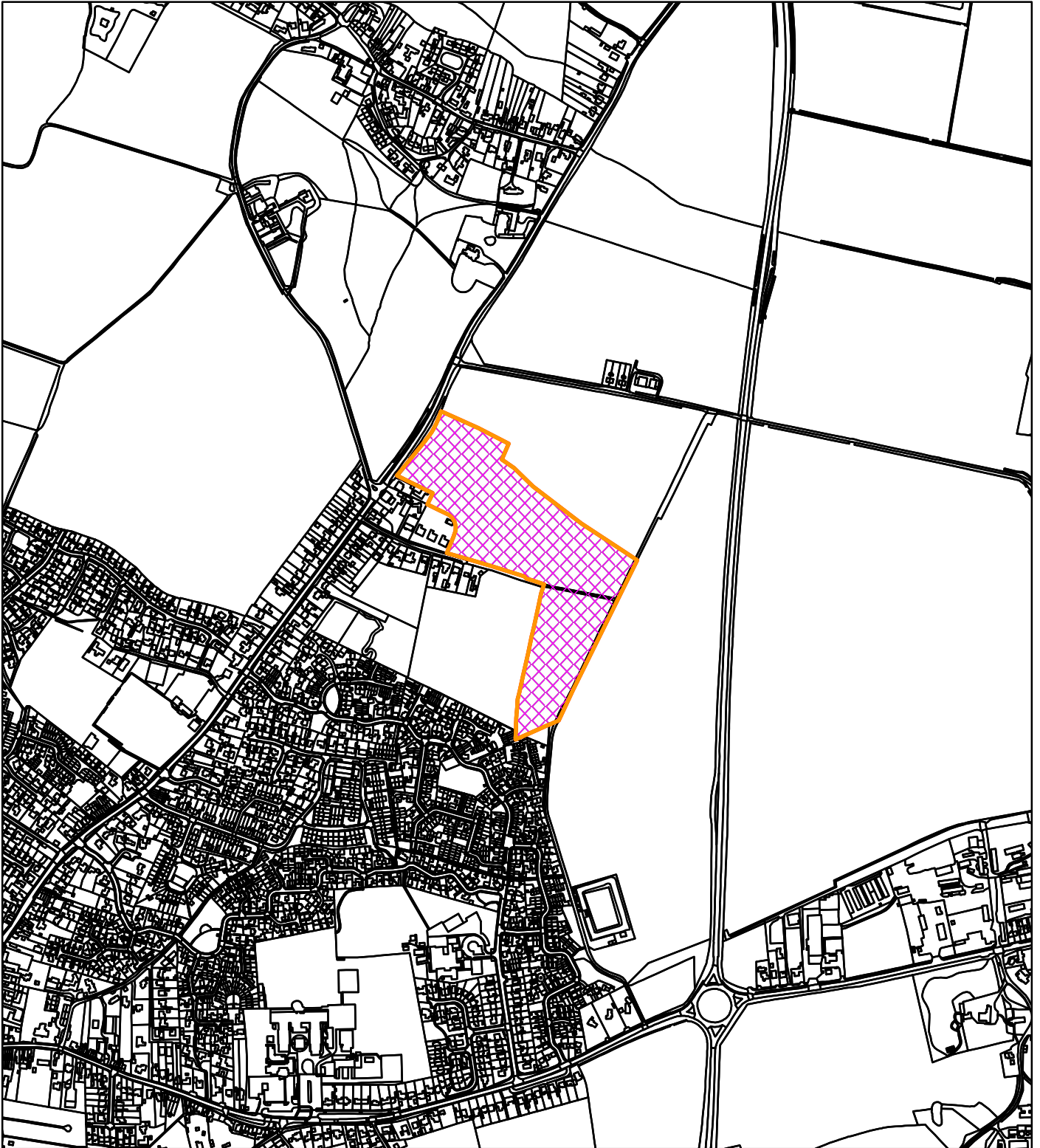
Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
8/1	DEFERRED ITEMS			
	MAJOR APPLICATION			
8/1(a)	21/01121/RMM Reserved Matters Application for layout, scale, appearance and landscaping for the erection of 226 dwellings and associated works and infrastructure at Land NE of Bridle Lane, Downham Market	WIMBOTSHAM/ DOWNHAM MARKET	APPROVE	8
8/2	OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE			
8/2(a)	22/01203/F Change of use of agricultural barn to 'Welcome Barn' and change of use of agricultural hardstanding to parking at Church Farm, Docking Road, Fring, PE31 6SE	FRING	APPROVE	34
8/2(b)	22/01216/F Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space at Church Farm, Docking Road, Fring, PE31 6SE	FRING	APPROVE	50
8/2(c)	21/00080/F Retrospective change of use of agricultural land to provide access, parking and turning to adjacent holiday accommodation granted planning permission under ref:12/00197/F at Land W of 70 South Beach Road, Heacham, PE31 7BD	HEACHAM	APPROVE	71
8/2(d)	22/00699/F Proposed replacement dwelling, garage and site frontage works at Lorien, 7 Hamilton Road, Old Hunstanton, PE36 6JA	OLD HUNSTANTON	REFUSE	82

8/2(e)	21/02311/F Change of use of the land to allow for the siting of a log cabin (to fall within the definition of a caravan) associated with existing fishing lake) at Land And Ponds S of 52 Broadend Road E of Zoar Cottage And W of Turpitts Field, Green Lane, Walsoken, PE14 7BJ	WALSOKEN	APPROVE	92
8/2(f)	22/01577/RM RESERVED MATTERS: Approval for all reserved matters, construction of new dwelling at 10 Fairfield Lane, Watlington, PE33 0JE	WATLINGTON	APPROVE	111

21/01121/RMM

Agenda Item 8a

Land NE of Bridle Lane, Downham Market, PE38 9Q2



Scale: 1:10,000

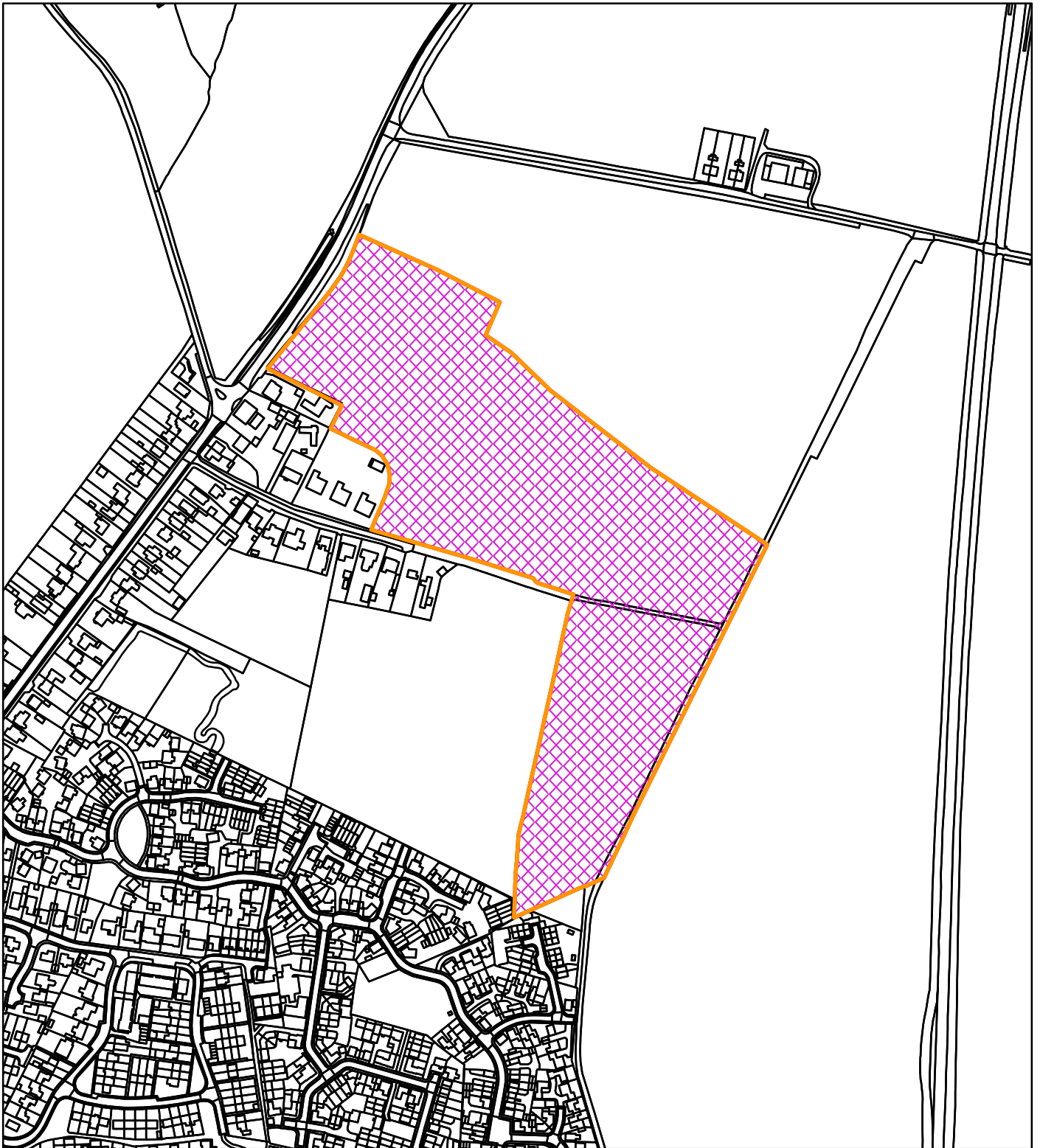
Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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21/01121/RMM

Land NE of Bridle Lane, Downham Market, PE38 9Q2



Scale: 1:4,800

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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Parish:	Downham Market Wimbotsham	
Proposal:	Reserved Matters Application for layout, scale, appearance and landscaping for the erection of 226 dwellings and associated works and infrastructure	
Location:	Land NE of Bridle Lane, Downham Market, Norfolk, PE38 9QZ	
Applicant:	Persimmon Homes East Midlands	
Case No:	21/01121/RMM (Reserved Matters - Major Development)	
Case Officer:	Mr K Wilkinson	Date for Determination: 22 September 2021 Extension of Time Expiry Date: 9 December 2022

Reason for Referral to Planning Committee – The views of Wimbotsham Parish Council are contrary to the Officer recommendation.

Neighbourhood Plan: No

Case Summary

The site is an irregular shaped parcel of land located to the north-east of Downham Market, but lies mostly within the parish of Wimbotsham (boundary along bridleway BR13/Bridle Lane which runs generally east-west). It has approx. 140m of frontage onto Lynn Road/B1507, lies north of Bridle Lane across to the concrete road (formerly part of RAF Downham Market and is a bridleway - BR14) which runs broadly parallel to the A10/by-pass; there is a narrowing parcel to the south of Bridle Lane which abuts Parsley Way and almost adjoins Elderflower Way – the existing peripheral residential estate development constituting the present edge of the urban area of the town. Dwellings adjoin the site on Broomhill, north of the petrol filling station and car wash, and to the northern side of Bridle Lane. There is agricultural land to the north (with New Road beyond), east and west of the southern 'leg' and also on the opposite side of Lynn Road.

The site comprises 9.2ha of an allocation site of 16.2ha for Downham Market under Policy F1.3 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016, with the policy requiring at least 250 dwellings and associated facilities.

The principle of residential development of the site along with access (3 arm roundabout junction on Lynn Road/B1507) has already been established by outline planning permission granted initially under application ref: 16/00610/OM, and then varied by 21/00798/F to remove the need for an emergency access route adjoining the roundabout junction on Lynn Road (and supported by the Local Highway Authority).

This application seeks reserved matters approval for 226 dwellings plus associated works and infrastructure. The matters for consideration are appearance, landscaping, layout and scale.

Key Issues

Principle of Development and Planning History
Form and Character
Highway Implications
Residential Amenity
Landscaping
Impact upon Heritage Assets
Open Space Provision
Affordable Housing Requirements
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site is an irregular shaped parcel of land located to the north-east of Downham Market, but lies mostly within the parish of Wimbotsham (boundary along bridleway BR13/Bridle Lane which runs generally east-west). It has approx. 140m of frontage onto Lynn Road/B1507, lies north of Bridle Lane across to the concrete road (formerly part of RAF Downham Market and is a bridleway - BR14) which runs broadly parallel to the A10/by-pass; there is a narrowing parcel to the south of Bridle Lane which abuts Parsley Way and almost adjoins Elderflower Way – the existing peripheral residential estate development constituting the present edge of the urban area of the town. Dwellings adjoin the site on Broomhill, north of the petrol filling station and car wash, and to the northern side of Bridle Lane. There is agricultural land to the north (with New Road beyond), east and west of the southern 'leg' and also on the opposite side of Lynn Road.

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This application seeks reserved matters approval for 226 dwellings plus associated works and infrastructure. The matters for consideration are appearance, landscaping, layout and scale.

There are 26 house types providing the following mix:

- 1 Bed – 12 units
- 2 Bed – 54 units
- 3 Bed – 116 units
- 4 Bed – 41 units
- 5 Bed – 3 units

Total – 226 units

SUPPORTING CASE

The applicants have submitted the following statement in support of this proposed development:

“Persimmon Homes have worked proactively and extensively with both council officers and the consultant Urban Designer throughout a period of several collaborative workshops to achieve the layout that is presented before you. This is pursuant to the outline planning permission granted in September 2018, securing the access to the site and development of up to 240 dwellings

The layout presented before you has been the product of much collaboration with the council’s urban design officer, the case officer and statutory consultees. The layout considers elements of excellent design, such as good connectivity, distinct character areas, material choices and enhancements of the site’s opportunities. This will result in a neighbourhood to cater to all types of families, acknowledging elements of existing design that is seen throughout Downham Market.

The number of dwellings on site were reduced throughout the urban design collaboration with the council, and the density reflects other developments approved throughout Downham Market. The location of dwellings has been amended to ensure there is considerable distance to the existing properties and ensures there is no overlooking or loss of privacy.

Ecological enhancements are secured through the outline planning permission, and include bat and bird boxes, hedgehog highways and brash piles. The layout also ensures the preservation of protected trees along Bridle Lane, with no construction within any root protection areas. Both the formal and walked footpaths running through the site are incorporated into the layout, providing connectivity along a green infrastructure route.

The development comprises of 20% affordable housing of a mix of tenures, house types that are in accordance with the housing needs and supported by the Housing Officer. This total of 45 dwellings are distributed throughout the site and provide opportunities for shared ownership and affordable rent to a mix of people and families.

A landscaping masterplan submitted contains the principles of green environment. This includes a tree lined spine road, landscape buffer around the boundaries of the site and on-plot planting for visual interest and supporting biodiversity. The provision of these trees and landscaping will create opportunities for biodiversity. The landscaping masterplan will be followed and finer details of planting secured through condition. Allotments and a play area are provided to benefit the wider community.

The Highways officer is in support of the application, with a looped road network that clearly shows a defined hierarchy that is safe, visually pleasing and accessible.

The drainage basin located to the north-west of the site will be a grassed area and will only hold water in cases of extreme weather, where it will naturally drain at a controlled rate. The water will only be held for a maximum period of 24 hours in these events of extreme weather (designed for a 1 in 1000 year event). The swales around the site will have a gentle slope and are used to direct surface water towards this basin following the natural topography of the site, with grass and landscaping for amenity purposes. The basin and swales will provide an openness to the site. Discussions have been held with Anglian Water with regards to their comments and they have expressed support for the scheme following clarification on the

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location of their assets. The LLFA comments have all been addressed with further information submitted. The detailed designs of drainage are secured by condition on the outline planning consent and will be subject to a further approval through a discharge of condition application.

The development on this allocated site is compliant with policy, both national and local, with the principle of development established through approval of outline planning permission. The scheme will benefit the wider community with good open space, financial contributions and affordable housing, in addition to contributing to the supply of housing for King's Lynn and West Norfolk."

PLANNING HISTORY

21/00798/F: Application Permitted: 14/07/21 - Variation of condition 8 and removal of condition 11 of planning permission 16/00610/OM - no requirement for an emergency access (Delegated decision)

16/00610/OM: Application Permitted: 06/09/18 - Outline Major Application: To include up to 240 dwellings (use class C3), access onto Lynn Road, open space, sustainable drainage systems and associated ancillary works (Committee decision)

Various discharge of condition applications have been submitted in connection with 21/00798/F and 16/00610/OM

RESPONSE TO CONSULTATION

Responses to amended scheme since August 2022:

Wimbotsham Parish Council: OBJECT (13/10/22) - The Parish Council have reviewed the amended details submitted and still object to the application for the reasons outlined in our previous consultation responses, which are attached. Without sufficient information being submitted to address the concerns raised, the Parish Council believe that this application should be refused.

To summarise, the parish council remains concerned that the scheme without sufficient mitigation, particularly in relation to landscaping, lighting, noise and road safety, will give rise to an unacceptable level of visual impact, road safety issues, noise and light pollution, eroding the natural open space between Broomhill and Wimbotsham and therefore will not serve to contribute to and enhance the natural and local environment. The Parish Council would welcome the submission of amendments to the current application to address the above concerns.

Downham Town Council: APPROVE (05/10/22)

Councillors considered this application at an Extraordinary Full Council meeting on 4th October 2022. Council recommended approval of the application with the following comments:

- The town currently has insufficient social facilities e.g. schools, GPs, dentists to support the size of the development.
- Questions were raised about the lack of CIL funding attached to this development, and Councillors requested a review of this agreement
- Concerns remain about the access onto Lynn Road.

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Highways Authority: NO OBJECTION (20/10/22)

With reference to the layout shown on drawing BL/DM/PPL/100 rev K, I can confirm that in relation to highway matters, the County Council does not wish to raise an objection to the granting of permission should the Borough Council deem it to be acceptable. Conditions requested regarding construction details of roads etc., implementation and constructed to binder course surface level prior to occupation of associated dwelling.

Public Rights of Way: NO OBJECTION (12/10/22)

We have no objection in principle to the application but would highlight that the Public Right of Way, known as Wimbotsham Bridleway 14 is aligned along the Eastern boundary within the site and Wimbotsham Bridleway 13 dissects the Site on an East- West alignment. We note that the open spaces have been designed to include the alignments of these PROW, which is welcome. The applicant will need to apply for a Temporary Traffic Regulation Order which must be confirmed before any works commence which would impact upon the Public Rights of Way. Any changes to the surface of the routes may require Highway Authority consent to ensure they are compatible with the public use. The full legal extents of these Bridleways must remain open and accessible for the duration of the development and subsequent occupation.

Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: No comments received at the time of writing this report.

Environmental Health & Housing – Environmental Quality: NO OBJECTION (20/10/22) -

A Construction Environmental Management Plan is required under condition 13 as part of this outline permission. Informative notes raised regarding:

- Details of renewable/decentralised or low carbon technologies to limit emissions from dwellings;
- Confirmation that the 9 dwelling types showing chimneys are ornamental rather than functional therefore no smoke emissions; and
- Details of suitable electric vehicle charging points to serve the development [Officer note: to be covered via condition].

Lead Local Flood Authority (NCC): HOLDING OBJECTION (04/11/22) - We maintain our objection to this planning application in the absence of an acceptable development layout relating to:

- Local flood risk to the development
- Impacts from the development adversely effects flood risk
- Not complying with NPPF, PPG or local policies

We will consider reviewing this objection if the following issues are adequately addressed:

- Consideration in the proposed layout of all four pillars of SuDS to enable the application to be classed as SuDS. In particular, the proposed layout should demonstrate that the removal of the southern pond for swales provides enough spatial capacity for surface water drainage.
- Clarification of surfacing for parking areas, for example Plot 1 and 2 seem to have different surface proposed compared to Plot 12 and 13, which differs again from Plots 3-11. The Planning Condition & FRA Compliance Report and proposed layout does not clearly indicate which of these will be permeable paving.
- A key to be included on the proposed layout which clearly identifies the different types of SuDS features and identifies where permeable paving is located. The Planning Condition & FRA Compliance Report states that: 'All drives without discharge to a swale are to be porous paving. In areas of deep fill (>1m), tanked system to be used to ensure no egress of water into fill material, all other areas to infiltrate'. However, the location of these is not shown on the plan.

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Amended scheme: Comments are outstanding at the time of writing this report in relation to the submission of amended plans, but the applicants' drainage experts are confident that the revised scheme will negate those earlier concerns of the LLFA. The detailed designs of drainage are secured by condition on the outline/earlier planning consent and will be subject to a further approval through a discharge of condition application. Further comments will be reported in late correspondence.

Downham & Stow Bardolph IDB: NO COMMENTS (27/09/22) - The site itself lies outside the Stoke Ferry District but within its catchment. The drainage proposals for the development are that all surface water run-off is disposed of to the ground using infiltration basins.

The updated information submitted contains no specific information relating to matters affecting the IDB, it is however noted in the phasing plan provided that the infiltration areas are being constructed as part of the first phase, which is what would be expected and safeguards against any unanticipated discharge into the Board's district.

(23/11/22) – No further comments.

Environment Agency: NO COMMENTS (29/09/22) - We have reviewed the above application and it is considered that there are no Agency related issues in respect of this application and therefore we have no comment to make.

Anglian Water: HOLDING OBJECTION (08/11/22) - We object to the planning application as currently proposed due to the location of the pond in relation to the existing water mains.

The full easement widths for the 24' main and the 15' main need to be 9m and 6m either side of the pipe centreline respectively (full easement widths 18m and 12m). The exact line of both mains must be accurately located on site by trial holes or other suitable means. If the line of the mains differs from the above plan the layout will need to be amended to provide the required easements. The depth of the mains must also be recorded as the developer will need to ensure that a minimum of 600mm cover is maintained over the mains at all times. This is to avoid damage being caused by construction activities taking place above the pipes.

The water mains must not be located below the proposed surface water storage areas on the development. We stipulate this requirement to ensure that suitable access for maintenance and repair is always available, at all times. This comment relates to larger storage area located in the north-west corner of the development and what appears to be a smaller one immediately to the south in front of plot No 10.

In order to overcome this objection, the applicant must accurately locate the exact line of the mains by trial holes or other suitable means. Dependant on the exact location of the mains the site layout and design may need to be amended to ensure the easements are taken account of.

Amended scheme: Comments are outstanding at the time of writing this report in relation to the submission of amended plans, but the applicants' drainage experts are confident that the revised scheme will negate those earlier concerns of Anglian Water. Further comments will be reported in late correspondence.

Norfolk Constabulary: NO OBJECTION (06/10/22) - Relieved to see comments regarding increasing surveillance with the use of 1.5m closed board fencing and 300m trellis has been incorporated where parking provisions have been located at the rear of a plot and also

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pleased to see the amended house types with floor/elevations where windows have been added to those active rooms for the specific plots which had been identified in previous correspondence. No further comments.

(15/11/22) – Additional comments summarised as follows:

Attenuation Basin

In other parts of Norfolk, I have seen areas like these become hotspot for anti-social behaviour due to their poor layout, design and lack of barriers. The proposed location of these flood preventions has some surveillance from surrounding properties.

Recommendations for suitable barriers/fencing, defensive planting, signage and life-saving devices for the intended 'Wet' areas.

LEAP/LAP

I am pleased to see that the LAP area has a defensive planting landscape buffer between the LAP and the parking for plots 45-50. The LEAP area being on the opposite side of the road to any dwellings however within sight for surveillance is also supported.

Care has been taken to ensure that no dwelling will be adversely affected by the location of the amenity spaces, and pleased to see it has not been positioned to the rear of dwellings as this can increase the potential for crime and complaints arising from increased noise and nuisance.

However, the location of the LEAP area creates a vulnerability being sited next to the allotments which will need its perimeter securing from anti-social behaviour in the form of a fence and gate. Advice on style of sheds and security also given. (Officer note: can be covered by details of hard and soft landscaping scheme to be secured via condition.)

Play areas should ideally be designed so that they can be secured at night. This is to reduce the amount of damage and graffiti that occurs after dark. The type of fencing and security measures will need to vary to suit the particular area. However, consideration should be given to a single dedicated entry and exit point to enable parental / guardian control and supervision. Fencing at a minimum height of 1200mm can often discourage casual entry, provide a safe clear play area and reduce damage to equipment. (Officer note: To be covered by detailed hard and soft landscaping scheme and discharging the Section 106 agreement attached to the outline/earlier consent.)

Norfolk Fire & Rescue: No response to consultation at the time of writing this report.

(Officer note: fire hydrant provision to be dealt with via condition attached to earlier outline/varied permission.)

Housing Development Officer: NO OBJECTION (12/10/22) - content with the proposed affordable housing and have no further comments.

Greenspace Officer: OBJECTION (21/11/22) summarised as follows:

- In line with Fields in Trust guidance, developments of more than 200 dwellings require a Multi-Use Games Area (MUGA). No MUGA has been provided in the current plans, so I'm obliged to object to these plans. Although I'm advised that a MUGA will be provided in a future development, there is no guarantee that this development will take place or that it will include the MUGA, leading to occupants of the currently proposed dwellings to be provided with insufficient play spaces.
- Concerns raised relating to the quality of the proposed play equipment, type of bins and wear strips/surfacing, and suitability of an element within the LEAP (grass mound).

(Officer note: To be agreed as part of discharging the Section 106 agreement attached to the outline/earlier consent.)

- There is extensive wildflower planting – this may not be considered as play space/amenity in large swathes. Wildflower requires collection of arisings, which BCKLWN is not equipped to do, and therefore would be unable to adopt. The maintenance plans also suggest collection of arisings for grass which is excessive and would also render it unable for adoption by BCKLWN. (Officer note: Full details of landscaping scheme to be dealt with via condition and applicants indicate that the POS and SuDS features will be retained and maintained by a Management Company.)
- Requirement is for 56m² per dwelling of open space – approx. 30% as suitably equipped children's play space, remainder as amenity/outdoor sport/allotments.
- Areas of open water and SuDS that are liable to be accessed by young/unsupervised children will also need to be secured to prevent unauthorised or unintentional access;
- Allotments would not be adopted by BCKLWN. In the event they are vested in a public body, they should be managed by the lowest form of local government, presumably Wimbotsham Parish Council (or Downham Town Council). Has there been any consultation to establish demand for these allotments? (Officer note: A requirement of the allocation/Policy F1.3.)
- Clarification sought on which driveways will be private;
- There are a lot of trees proposed for planting throughout the site - any trees planted near houses need to be suitable for urban planting. It would be ideal to receive a tree schedule prior to approval of the tree selection. (Officer note: Once again covered via condition as part of the final soft landscaping details.)

Conservation Officer: NO OBJECTION (verbally 13/10/22) – given the separation distances involved and lie of the land between the site and the conservation area, St Mary's Church (Grade 2*) and Hill House (Grade 2), any impact would be considered as 'less than substantial'.

Arboricultural Officer: NO OBJECTION (18/10/22) - Please condition in accordance with both the AIA & AMS and plans authored by James Blake Associates.

Waste & Recycling: NO OBJECTION (21/10/22)

REPRESENTATIONS

Original scheme:

THIRTEEN OBJECTIONS received, summarised below (by officers)-

- No need for these houses;
- No jobs and industry for new residents;
- Sustainability issues – commuters and lack of public transport;
- Lack of public consultation;
- Lack of infrastructure and services for additional demands (schools, doctors, dentists etc.);
- Disturbance during construction period;
- Adverse impacts upon amenity of existing properties;
- Impact upon trees;
- Loss of views over fields;
- Removal of WW2 runway;
- Impact upon wildlife;
- Encroachment towards Wimbotsham; and

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- Plans not the same as outline stage.

Amended scheme (post July 2022)

FIFTEEN OBJECTIONS received raising the following summarised grounds:

- Layout still impacts significantly upon existing residential properties adjoining the site;
- Impact upon residential amenity – noise, pollution during construction;
- Town Council changed its mind and now supports the proposal but same issues remain;
- Lack of communication from applicants;
- Drainage shows foul water connection to main in Lynn Road via Bridle Lane;
- Construction Management Plan shows use of the old airfield as route to access the site – BR14 should not be used;
- New properties on Bridle Lane not shown on proposed plans [Officer note: remedied by amended plan submitted];
- Amenity issues – overlooking, overshadowing and overbearing;
- Green space should act as buffer between existing and new development;
- Pepper-potting of affordable units;
- Impact upon trees;
- Water pressure;
- Air source heat pumps and electric vehicle charging points?
- Design not in keeping with individually designed houses in Downham Market
- Need a new/replacement hospital to serve increased population.

ONE representation of **SUPPORT** summarised as below-

- Still a recognised need for further housing; and
- Permission should be conditional upon extra public services being provided by the developers.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS04 - Downham Market

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

National Model Design Code

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development and Planning History
- Form and Character
- Highway Implications
- Residential Amenity
- Landscaping
- Impact upon Heritage Assets
- Open Space Provision
- Affordable Housing Requirements
- Other Material Considerations

Principle of Development and Planning History

The principle of residential development of the site, along with access, has already been established by outline planning permission granted initially under application ref: 16/00610/OM and then varied by 21/00798/F to remove the need for an emergency access route adjoining the roundabout junction on Lynn Road (and supported by the Local Highway Authority). This is a commitment and not therefore open for review.

This application is solely for the determination of Layout, Scale, Appearance and Landscaping (Reserved Matters).

Whilst the original outline permission was subsequently varied by application ref: 21/00798/F, the conditions and S106 requirements on the earlier outline permission remain applicable to the development. Those that are pertinent to this reserved matters application (i.e. that could affect the layout, scale and landscaping), are: quantum of dwellings (up to

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240 units), drainage strategy and attenuation measures/features, tree/hedge protection plus new boundary treatments, amount of open space and allotments, retention of Public Rights of Way (BR13 & BR14), connection of roads and footpaths to adjoining land including remainder of the allocation.

The layout, scale and landscaping of the current RM application is in accordance with conditions and S106 requirements.

The current application for reserved matters was submitted in June 2021 and complies with the time limit conditions attached to application ref: 21/00798/F; the permission therefore remains extant.

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

Matters that will be dealt with via discharge of conditions attached to the earlier consent are as follows: Phasing plan, management and maintenance of streets, Construction Environmental Management Plan (CEMP), Travel Plan, surface water drainage strategy and maintenance/management, foul water drainage, contamination investigation/mitigation, lighting (roads, footpaths, parking and circulation spaces), archaeological investigation, Arboricultural Impact Assessment and Method Statement, boundary treatments, off-site enhancements to hedges to Lynn Road, New Road and the A10, plus provision of fire hydrants.

Other matters covered by the Section 106 agreement are as follows: Public Open Space (POS) provision and transfer/management, affordable housing provision, SuDS provision and management, Habitat Monitoring and Mitigation fees, education contribution, library contribution, Travel Plan preparation and contribution towards off-site footpath network improvement works.

Form and Character

Paragraph 124 of the NPPF states that planning policies and decisions should support development that makes efficient use of land, with paragraph 125 suggesting that design guides and codes be used to ensure that land is used efficiently whilst also creating beautiful and sustainable places (paragraph 126). One such guide is Building for a Healthy Life (BHL) which can be used in conjunction with the National Design Guide (NDG) and National Model Design Code (NMDC).

The BHL assessment considers integrated neighbourhoods (connections through the site, open space, pedestrian/ cycle provision), distinctive places (design and character, street scape, identity and landscaping), and streets for all (healthy streets, parking, green and blue infrastructure, amenity space). BHL is a design assessment tool (with a traffic light scoring system to aid the design process) based on a set of 12 key questions (macro to micro).

GREEN - A positive / high quality design solution. The scheme needs to achieve a majority of greens to be considered good design.

AMBER - Indicates that this aspect of a scheme currently fails to meet national policy and further amendments will be required to improve design quality (turn ambers to green where possible)

RED - Poor design quality / proposal that must be addressed – reds must be avoided where possible

Where an element of design is considered to fall between a green and a red light, an amber light can be assigned. In principle, the more green lights a proposed scheme secures the better the design outcome. The overall objective with a BHL assessment is to minimise the number of amber lights and avoid red lights where possible.

A BHL assessment has been carried out on this proposal to assess design and place-making qualities and compliance with the NPPF, NDG and NMDC.

The assessment was broken down into 24 questions under the 12 key question headings of:

- natural connections
- walking
- cycling and public transport
- facilities and services
- homes for everyone
- making the most of what is there
- memorable character
- well defined streets and spaces
- easy to find your way around
- healthy streets
- cycle and car parking
- green and blue infrastructure and
- back of pavement front of home.

The initial scheme scored poorly however the outcome of the assessment of the amended scheme was 20 green and 4 amber which suggests an overall acceptable development that would meet the overarching aims of BHL and therefore the NPPF and NDG.

Density / Efficient use of Land (Layout)

The number of dwellings has been reduced from the originally submitted 240 dwellings to 226. This change is in response to the involvement of an Urban Design consultant undertaking workshops and evolving the design and layout of the scheme using the BHL and National Design Guide principles. The overall allocation of Policy F1.3 has been addressed during this exercise and not just this application site which comprises approx. half of the overall site area.

A 'Green Avenue' concept has been applied to this proposal with green and blue infrastructure strongly influencing this layout with public open space, allotments and a formal play area running diagonally across the allocated site from NW to SE (following the Anglian Water mains which bisect the site). The peripheral site boundaries to the north and east are landscaped with swales to create a 'green edge' with properties mostly fronting open land beyond. The pedestrian and cycle links have been assessed and link into the existing Public Rights of Way that cross (Bridle Lane BR13) and abut (BR14) the site. There is a verdant continuation of Bridle Lane, with its TPO trees (2/TPO/00529), to the east joining up to the old airfield/concrete road (BR14) which is parallel to the eastern site boundary with links southwards to Hillcrest Primary School and Downham Market Academy (High School) beyond.

This layout gives a gross density of development of 24 dwellings/hectare (39 dph net) which is comparable to the residential development recently approved on the allocated site under Policy F1.4 to the SE of the town (22 (gross) & 38 dph (net) respectively). Officers consider

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this is an acceptable density given the context of the site, adjoining residential estates to the south and the design process undertaken.

The development has incorporated three area typologies for housing to introduce a subtle mixture of design using a conventional number of house types. In the north-western area ('The Gateway') the dwellings front onto Lynn Road and the water attenuation features thus framing the entrance and leading through into the estate.

'The Avenue' areas follow the main spine roads and is tree-lined adjoining larger areas of public open space including a 'Village Green' in the central part of the northern half of the site.

The road hierarchy reduces leading off those main routes, with shared surfaces and private driveways in a mixture of permeable surfacing characterising these different areas – 'The Outlooks'. The roads form almost circuitous routes which aids permeability for residents and bin collection.

Given the shape of the site, existing landscape and proposed drainage features, plus the previously agreed access point, this proposed layout is the best achievable. Additionally, it now broadly accords with the indicative plan submitted as part of the outline application.

The proposed layout is therefore considered to be acceptable in this locality and accords with Policy CS08 of the CS (2011) and Policy DM15 of the SADMPP (2016).

Scale and Appearance

The dwellings proposed are single, two and two and a half storeys in height with a total of 26 dwelling types. The appearance comprises mainly simple gable roof structures, cottage style windows, pitched and lean-to bracketed porches and specific dwellings include bay windows, brick slip dummy chimneys and the 2½ storey dwellings include a combination of flat and gabled roofed dormer windows in the front roof planes serving the second floor bedrooms.

The materials proposed are a mix of buff and red brick types with 15 no. 'key dwellings' proposed to be rendered. A mix of anthracite grey and red roof tiles are proposed. The types/colours are yet to be confirmed and are to be conditioned accordingly (as agreed with the applicants) due to availability/supply issues presently being experienced. There are also 18 no. 'feature dwellings' proposed with carrstone elevations facing public areas at focal points throughout the site. A sample panel will be required for the stonework and can be conditioned accordingly.

Concerns were initially raised that the dwellings were of a generic/corporate design and did not reflect the local vernacular. In response to this, as portrayed in the amended Design & Access Statement, the applicants have introduced details into the development including brick detailing, brick quoins, brick window arches and cills. This is in addition to the materials described above.

The boundary treatments proposed include 1.8m close-boarded fencing and walls, to the rear of the dwellings to secure private rear gardens. All dwellings have external access to their rear gardens. Hedging, planting, black metal estate hurdles, picket fencing and timber knee-rails are proposed for front boundaries. There is also walling proposed to protect private amenity space, where the boundary treatment would have a significant impact upon the street scene.

There is a significant amount of landscaping included in the scheme both around the edge of the site for public open space, but also importantly within the built extent. Ornamental hedging is proposed alongside the planting of trees and shrubs along the frontages. This improves the quality of the environment as well as demarcating private space, and also screens some of the parking to reduce the visual impact. The hard landscaping materials will also assist in establishing the character and hierarchy of streets/ areas throughout the development.

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

Highway Implications

As stated above, the impact of the development on the local road network along with access to Lynn Road via a 3-arm roundabout have already been established at outline stage and is not a consideration in assessing the current application.

The layout plan shows a gateway feature indicating a 20mph zone throughout the estate and traffic calming measures within the road network.

The application is accompanied by a Parking Statement which indicates that all dwellings have parking spaces to meet adopted standards (1 bed units – 1 space; 2 & 3 bed units – 2 spaces; and 4 bed units – 3 spaces) plus 26 visitor spaces and three serving the allotments. In terms of cycle parking, the adopted policy requires that 1 cycle space is provided per dwelling. All dwellings have access to private and secure areas in rear gardens where sheds will be provided to be utilised for storage of cycles. The 1 bed units will have dedicated cycle storage facilities.

Off-site highway improvement works on the Lynn Road/Broomhill frontage will also lead to the prospect of safer cycling and pedestrian routes to the town centre.

Conditions are requested regarding construction details of roads etc., implementation and constructed to binder course surface level prior to occupation of associated dwellings.

Parking provision, road types and turning heads are all in accordance with required standards/policy and no objection is raised by the Local Highway Authority. The proposal is therefore considered to comply with the NPPF and Development Plan Policies CS11, DM15 and DM17.

Residential Amenity

Para 130 f) of the NPPF state that: Planning policies and decisions should ensure that developments create places that are safe, inclusive and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience. This is reiterated in Development Plan Policy DM15.

There are only six dwellings directly adjoining the site – Nos. 226 & 228 Broomhill, plus Nos. 3, 7, 9 & 11 Bridle Lane. All of the properties on Bridle Lane have been constructed since the allocation of the land for residential purposes and outline permission was granted.

In response to earlier objections, the amended scheme now has dwellings either back or side onto these neighbouring properties. Plots 1-10 are to the north of Nos. 226 & 228 Broomhill and would not create any overshadowing implications. Plot 1 is located some 13m

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north of No. 226 with no windows in the gable at first floor level, and to the NW of No. 228 with rear to front elevation separation distance of some 23m which would not create adverse implications regarding overlooking or overbearing. Detailed hard and soft landscaping along this southern boundary of the site will also alleviate any concerns.

Houses lie on Plots 6-8 to the north of No.228 some 23m away at the closest point, plus Plots 9 & 10 approx. 10.5 away from the common boundary and Plot 11 to the SE some 23m away.

No. 3 Bridle Lane is a contemporary single storey structure set within a former pit to the east/rear of the petrol filling station and car wash, so there are no overlooking implications. Impact upon its oak tree is addressed elsewhere in this report.

Nos. 7, 9 & 11 Bridle Lane are recently built detached 5 bedroomed houses in substantial grounds with approx. 40m rear garden depths. The inter-relationships with the proposed dwellings are considered to be fully acceptable. Established peripheral hedging adjoining the application site and these plots appears to have been removed when the houses were developed.

The amended layout is therefore considered to offer acceptable separation distances between new and existing residential development and between proposed dwellings in terms of overlooking, overshadowing and overbearing impacts.

Spaces for sheds and bin storage are afforded to every dwelling. Bin collection points to serve the properties off private drives have been provided in response to earlier comments from our Waste & Recycling Manager. The layout is now satisfactory in this respect.

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

The outline/varied consent included a number of conditions including the submission of a Construction Environmental Management Plan (No.12), to be submitted to, and agreed by, the LPA for each phase to protect residential amenity. These should not be repeated as part of this application.

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

The proposal is therefore considered to comply with the NPPF and Development Plan Policies CS08 and DM15.

Landscaping

Hard and soft landscaping and boundary treatments throughout the estate have been previously submitted, however given the recent amendments to the layout, full details and specifications have not been fully worked up into detailed plans. These are to be covered via condition to be in accordance with the landscaping masterplan.

There is a significant amount of landscaping included in the masterplan scheme both around the edge of the site, but also importantly within the built extent. Ornamental hedging is

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proposed alongside the planting of trees and shrubs along the frontages. This improves the quality of the environment as well as demarcating private space, and also screens some of the parking to reduce the visual impact. The hard landscaping materials will also assist in establishing the character and hierarchy of streets/ areas throughout the development.

As stated above, green and blue infrastructure has strongly influenced this layout with public open space, allotments and a formal play area running diagonally across the allocated site from NW to SE following the Anglian Water mains which bisect the site and significant entrance feature of a surface water attenuation basin. The peripheral site boundaries to the north and east are landscaped with swales to create a 'green edge' with properties mostly fronting open land beyond rather than 'turning its back' on the edge like existing developed estates to the south. There is a 'village green' leading NE off the spine road central to the northern sector (incorporating a LAP), plus a verdant continuation of Bridle Lane, with its TPO trees, to the east joining up to the old airfield/concrete road (BR14). An open space at the southern point can join up with additional land to the south-east presently outside the outline site (but within the landowners' remit and part of the overall design assessment) to create better linkages to BR14.

Off-site planting is also required along Lynn Road, New Road and the A10 supplementing the existing boundary treatments. This is controlled via conditions attached to the earlier consents.

The future management and maintenance of these areas of POS plus the surface water attenuation features will be covered by the S106 Agreement. These are likely to be dealt with via a Management Company, however Downham Market Town Council has historically expressed an interest in taking on the allotments.

Collectively the landscaping will provide a green edge to the town and reduce the visual impact of the development proposed.

The proposal is therefore considered to comply with the NPPF, National Design Guide and Development Plan Policies CS08, DM15, DM16 and F1.3.

Impact upon Heritage Assets

The Council has a duty under the provisions of the Planning (Listed Buildings & Conservation Areas) Act 1990 to assess such impact.

In this instance the conservation area lies approx. 250m north of the application site on the western side of Lynn Road (Church Farm) and some 450m to the north-west on Low Road (Slate Barn). The Grade 2* St Mary's Church lies some 430m away and the Grade 2 listed Hill House some 530m away on the SW junction of Church Road and Lynn Road. There is established landscaping south of Church Farm and a copse on the New Road/Lynn Road junction north of the site plus established hedgerows. Lynn Road also dips to the north beyond New Road.

Low Road is once again hedge lined but longer views of the site would be available from the edge of the Conservation Area eastwards.

Whilst the concerns of Wimbotsham Parish Council are noted, the limited views of the housing from public areas would be seen in context with other development to the south and be contained within landscaped boundaries. The dwellings are set back some 40-100m from the road frontage at the entrance to the estate. Additional landscaping to peripheral boundaries along Lynn Road (plus New Road and A10) is to be dealt with via discharge of

condition 25 attached to application ref: 21/00798/F. Any visual impact would lessen over the passage of time as the new landscaping becomes established.

It is considered that the proposal would therefore have a 'less than substantial harm' on the setting of the aforementioned heritage assets, and in the planning balance the public benefits of fulfilling the housing allocation would vastly outweigh any impact. Once again, this site was allocated for this form of development some considerable time ago.

A Heritage Impact Assessment is submitted as part of this application which aids this process in accordance with the provisions of Policy F1.3 d). This 'less than substantial' impact is also the opinion of our Conservation Officer.

There are no adverse implications relating to the former WW2 airfield. A scheme of archaeological investigation was secured via discharge of condition attached to the outline permission (now Condition 22 of 21/00798/F).

The proposal accords with the provisions of the NPPF and Policy CS12 of the Development Plan.

Open Space Provision

The outline and varied planning consents required the provision of 750m² of allotments, which was controlled by condition (No.27) to be provided before 100 dwellings are occupied, and these are shown on the submitted plans (770m²). The Section 106 agreement for the outline/varied consents also requires that not less than 56 square metres of open space per dwelling is to be provided within the site which equates to 1.26ha (i.e. 56 x 226).

The development proposed shows a total provision of approx. 1.7ha of open space excluding the attenuation basins and swales (containing a Local Area of Play (LAP) and a Local Equipped Area of Play (LEAP)). This overall area of POS therefore exceeds the policy (Policy DM16 of the SADMPP 2016) and Section 106 requirement of 1.26ha. The exact details of the equipment and maintenance will be secured via the Section 106 agreement, however the LAP measures some 100m² and LEAP 410m² plus buffer zones to meet the Fields in Trust standards.

Our Greenspace Officer indicates that schemes between 200-500 dwellings should accommodate a Local Area of Play (LAP), Local Equipped Area of Play (LEAP) and Multi-Use Games Area (MUGA) in accordance with the Fields in Trust guidance. At 226 dwellings this proposal is at the lower end of that range and this site is effectively only half of the allocated site of Policy F1.3. In accordance with the concept plan for the overall allocation (which also includes a wooded area), additional play areas and a MUGA (800m²) can be comfortably accommodated within the remainder of the residential development allocation to meet the overall requirements for the estate.

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

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

Affordable Housing Requirements

Core Strategy Policy CS09 and the outline consent Section 106 agreement, required affordable housing provision in line with policy requirements. In this case the applicant has

proposed 45 affordable units with a mix of housing types including bungalows, and 1 to 4 bedroom two-storey dwellings comprising the following:

Affordable rent

6 x 1 Bedroom

14 x 2 Bedroom (4 no. bungalows)

10 x 3 Bedroom (2 no. bungalows)

1 x 4 Bedroom

Total: 31

Shared ownership

8 x 2 Bedroom

6 x 3 Bedroom

Total: 14

The proposed mix is considered acceptable, and the units are adequately dispersed throughout the site as confirmed by our Housing Development Officer.

The proposal therefore accords with Policy CS09 of the Core Strategy.

Other Material Considerations

Safety – Members have previously raised concerns regarding the safety implications of having surface water attenuation ponds within residential estate developments. In this instance the main pond and smaller attenuation basins lie close to the roundabout access into the estate off Lynn Road. The main basin has 1:3 sloped sides and a verge of approx. 6.5m from the highway/pavement containing a line of trees and is overlooked by 6 dwellings giving natural surveillance.

The drainage strategy indicates that in an extreme storm event (1 in 100 years plus 40% climate change allowance + 6%) the depth of water in the basin would be 1.1m and would drain away in up to 22 hours. In a 1 in 2 year storm it would be 17mm deep.

Notwithstanding the landscape masterplan, full details of the means of enclosure (probably hoop-topped metal railings to deter climbing) and the provision of emergency buoyancy aid/s may be secured via condition.

The smaller basins/depressions on the southern side of the spine road are again overlooked by several dwellings but are not expected to hold water only in very extreme circumstances (200mm worst case and draining very quickly) as excess water is directed into the main pond. They would be grassed with a wildflower mix and the southern-most depression (900mm max depth with low/graduated sides) can mostly be used as part of the overall play area.

These measures have been used elsewhere within the borough, are considered to be appropriate in this instance and would satisfy Policy DM15 of the SADMPP.

Impact upon trees - A line of TPO trees adjoins the northern side of Bridle Lane which are indicated to be retained and protected during construction. The allotments and LEAP are located close by but would not affect them unduly – likewise the main spine road. The applicants have submitted an Arboricultural Impact Assessment & Method Statement which has been assessed by our Arboricultural Officer, who has no objections to the tree survey or soft landscape scheme for the site. Concerns regarding potential impact of the proposed development upon a specific oak tree within the grounds of No.3 Bridle Lane has been brought to our attention. However, given the amended layout plans and resultant separation

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distances involved (approx. 36m to nearest building on Plot 16) and differences in levels, no adverse implications have been identified by our Arboricultural Officer. The same applies to the mature conifer within the grounds of No. 228 Broomhill (Plots 9 & 10 approx. 10.5m north of the boundary).

Lighting scheme – Details of a lighting scheme for the development including roads, footpaths, parking and circulation spaces will be dealt with via discharge of condition 21 attached to 21/00798/F.

Public Rights of Way - The alignment of Bridle Lane (BR13), the well-trodden route where it crosses open land and connects to BR14, follows the field boundary, but does not correspond with the defined route mapped by Norfolk County Council. Aerial imagery indicates that this route has been used for some years and has established rights. Both the established and defined routes have however now been accommodated in the layout of the proposed development and this has received no objection from the NCC PROW Officer.

Financial contributions - Section 70(2) of the Town and Country Planning Act 1990 provides that an LPA must have regard to a local finance consideration as far as it is material. The site does not attract Community Infrastructure Levy, however contributions to education, library books and off-site improvement to the footpath network were secured via Section 106 agreement. The position on CIL was agreed by the Planning Inspector when the allocated site was dealt with as part of the adoption of the SADMPP (2016). Downham Market Town Council suggests that the position regarding CIL is reviewed, however it is already established and is not capable of review in determining this current application for reserved matters approval.

Crime and Disorder – The Architectural Liaison Officer (ALO) has assessed the scheme against the principles of Secured by Design, and through the application process the applicants have sought to address any queries/concerns raised to ensure the scheme is where possible in accordance. The applicants have introduced windows in side/flank elevations (previously blank) plus 1.5m high fencing with 300mm of trellis used to create surveillance of parking areas in strategic locations as stated above. Whilst private parking courts are not preferred by the ALO, the scheme is now considered to be acceptable in terms of designing out crime.

Flood risk - The application site lies within Flood Zone 1 of the SFRA and is therefore in an area with the lowest probability of flooding. The NPPF directs development towards areas of lower risk and thus the site is in accordance with national policy.

Foul and surface water drainage - Drainage is not a reserved matter and both foul and surface water will be dealt with via discharge of conditions attached to the earlier permission; the only consideration with regards to layout is the inclusion of the attenuation ponds/features with adequate capacity. The LLFA raised a holding objection, however the dimensions of the attenuation basin and drainage specifications have been amended and are under review. Confirmation of agreement to these changes are expected to be forthcoming prior to the meeting and will be reported as late correspondence.

Furthermore, the Section 106 agreement requires that the surface water drainage scheme incorporates Sustainable Drainage Strategies (SuDS) which is in accordance with national guidance and addresses the maintenance and management of this.

Emerging Downham Market Neighbourhood Plan - The draft (Regulation 14) Downham Market Neighbourhood Plan was consulted upon in Autumn 2021. It is anticipated the plan will be submitted for examination soon. Little weight can be given to the draft policies in decision making at this stage, however it is important these are considered.

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The Neighbourhood Plan policies cover a range of issues relevant to the proposed development, and consideration has been given to the requirements of these (many of which are already included within the NPPF and adopted Local Plan). It is considered that the scheme is broadly in accordance with the policy requirements; either in the outline consent and Section 106 agreement, and/or the reserved matters application and proposed conditions. Given the stage of the Plan however the scheme has been assessed against current policy requirements and standards (for example with regard to parking provision, affordable housing allocation and the provision of EV points).

Third party correspondence - In relation to third party comments not covered above, the LPA comments as follows:

- Sustainability issues – commuters and lack of public transport – a Travel Plan is to be produced which will look at alternative means of transport for residents; cycling and walking routes have been accommodated within the layout and linkages to existing networks achieved;
- Lack of public consultation – the application and subsequent amendments have been publicised in accordance with adopted working practices and legal requirements;
- Lack of infrastructure and services for additional demands (schools, doctors, dentists etc.) – education and library contributions are secured via Section 106 agreement;
- Loss of views over fields – private views are not a planning consideration;
- Removal of WW2 runway – BR14 is not proposed to be altered by this proposed development;
- Impact upon wildlife – addressed at the outline stage with biodiversity enhancements secured by a Habitat Management Plan (Condition 19);
- Plans not the same as outline stage – plans were solely indicative at the outline stage but the amended scheme now broadly accords with the earlier/outline submission.
- Town Council changed its mind and now supports the proposal, but same issues remain – the Town Council have made their views clear as recorded above in the Consultations section of this report;
- Construction Management Plan shows use of the old airfield as route to access the site – BR14 should not be used – this will be addressed by way of Discharge of Condition in liaison with the Local Highway Authority;
- Water pressure – will be dealt with by the appropriate bodies/authorities; it is unreasonable for the developers of this site to be expected to resolve these matters, and providing the site can cater for the drainage requirements of the new scheme without impacting upon existing development, this is acceptable; and
- Increased light pollution – this will be covered by discharge of condition attached to the earlier permission.

CONCLUSION

The site benefits from an existing outline/varied consent and the reserved matters application has been submitted in accordance with that planning permission, as well as Local Plan Policy F1.3 (SADMPP 2016).

The proposed form and layout of the scheme respects the characteristics of the urban fringe. It would create a development with an emphasis on a negotiated green and blue infrastructure concept with associated landscape and ecological benefits. The principle and scale of development has already been approved (up to 240 dwellings), as has the vehicular access and cannot be revisited as part of this reserved matters application.

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

On the basis of the above, the scheme is fully acceptable in planning terms and complies with the NPPF, National Design Guide and National Model Design Code, Policies CS01, CS02, CS04, CS08, CS09, CS11, CS12, CS13 & CS14 of the Core Strategy (2011) and Policies DM1, DM2, DM15, DM16, DM17 and F1.3 of the Site Allocations and Development Management Policies Plan (SADMPP) (2016). It is therefore recommended that permission be granted subject to the conditions stated below.

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:
BL/DM/PPL/100 Rev O: Layout
DM/CP/01 Rev G: Charter Plan
JBA 20 110-SK01 Rev XX: Landscape Masterplan
GTC-E-SS-0021_R1-0: Substation Plans
Al_Sem_R21-410: Alnmouth
Ad_Sem_R21-410: Ashridge
Rh_Det_R21-410: Redhill
Dp_MA_End_R21-201: Deepdale/Danbury
Ga_Sem_R21-410: Galloway
Sh_Det_R21-410: Sherwood
Sh_Cr_MA-Det_R21-901: Sherwood Cr
Bw_Det_R21-410: Barnwood
Sa_End_R21-410: Saunton
Ri_Det_R21-410: Rivington
Gz_End_R21-410: Grizedale
Wh_Sem_R21-410: Whinfell
Bw_Det_R21-410: Barnwood DT
GwDet_R21-410: Greenwood
Bt_Det_R21-401: Brampton
Bs_Det_R21-410: Brightstone
Bar_Ma_Det_R21: Barmouth
AS-WD-01: Daster/Aster x6a
Wa_MA_End_R21-901: Wentwood
Hd_Sem_R21-410: Haldon
Wa_End_R21_410: Wareham
Re_End_R21-410: Rendlesham
Dg_End_R21-410: Dallington
A8-PD-01: A88C2
SW/GW2/100: Greenwood 2
Sa_MA_End_R21-901: Saunton Plot 26, 53, 188
Al_MA_End_R21-901: Alnmouth Plot 55
Ga_MA_End_R21-901: Galloway Plot 156, 169
Sh_MA_Det_R21-901: Sherwood Plot 178, 179, 147
Bt_MA_Det_R21-901: Brampton Plot 212
Dg_MA_End_R21-901: Dallington Plot 93
Hd_MA_End_trad_R21-901: Haldon Plot 88, 89

Wh_MA_End_R21-901: Whinfell Plot 185, 186
Bt_MA_Det_R21-901: Brampton Plot 60, 177
Ga2.2-105: Double Garage
Ga1.1-001 Rev A: Single Garage

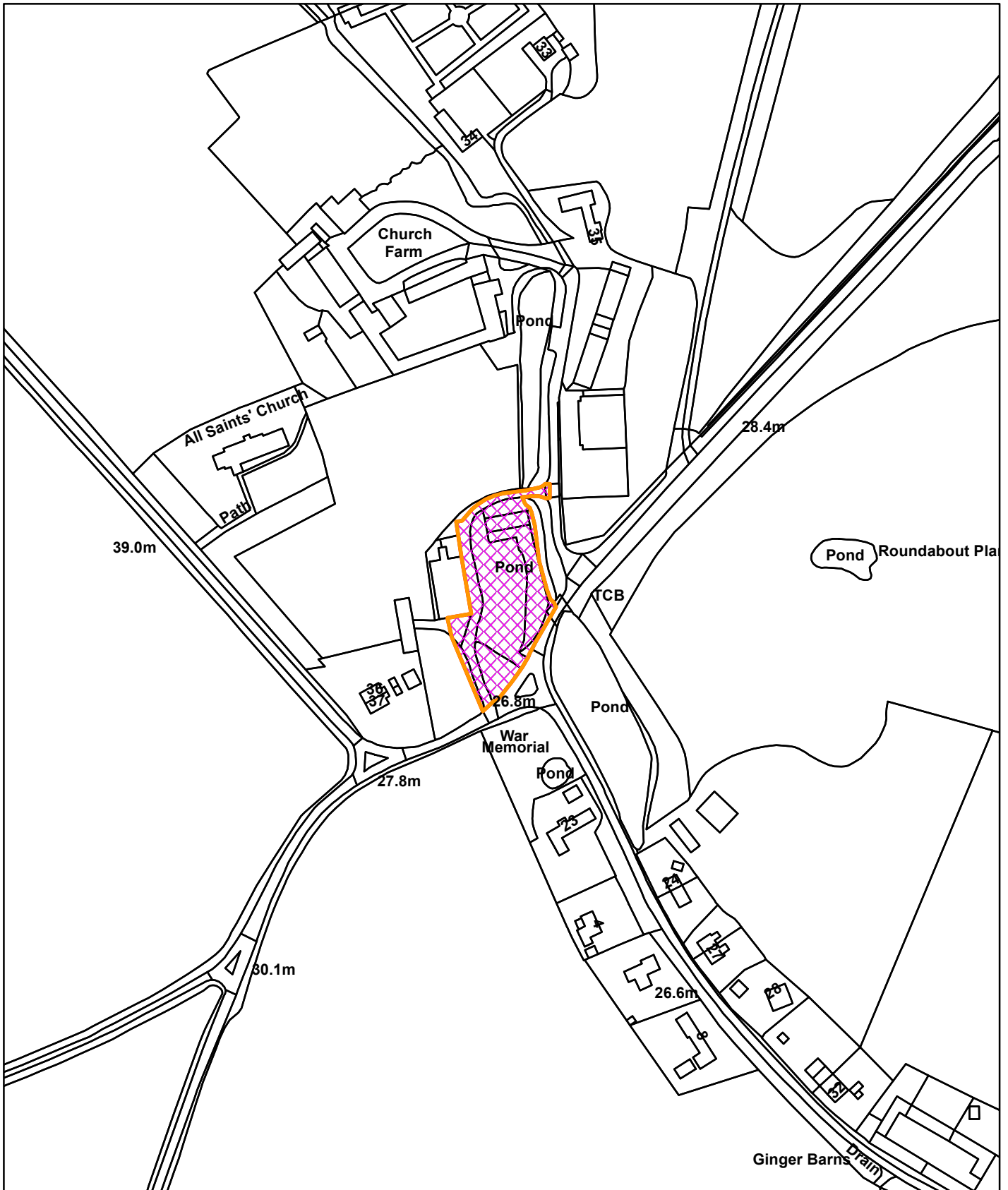
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: No works shall commence on the site until such time as detailed plans of the roads, footways, foul and surface water drainage have been submitted to and approved in writing by the Local Planning Authority.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

- 7 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 8 Condition: Prior to the installation of any air source heat pumps a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighboring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 8 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
- 9 Condition: Notwithstanding the plans/details already submitted as part of this application, prior to the commencement of development detailed plans and specifications for soft landscaping to accord with the principles of the Landscape Masterplan (Drawing No. JBA 20 110-SK01 Rev XX), shall be submitted to and agreed in writing by the Local Planning Authority. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
- 9 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 10 Condition: The boundary treatments shall be installed as approved prior to the occupation of the associated dwelling, or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details and maintained as such in perpetuity.
- 10 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 11 Condition: No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 11 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 12 Condition: Notwithstanding the details hereby approved, prior to occupation of the dwellings, a suitable Electric Vehicle (EV) charging scheme shall be submitted to, and approved in writing by, the Local Planning Authority. The locations of the infrastructure and charging points are to be shown on the approved plans. The EV charging points shall be implemented as approved prior to occupation of the associated dwellings or phased as agreed.

- 12 Reason: To enable charging of plug-in and other ultra-low emission vehicles in safe, accessible, and convenient locations in accordance with the provisions of the NPPF (Section 112(e)).
- 13 Condition: Prior to the occupation of any dwelling served off a private driveway, the associated bin collection point shall be provided in accordance with the approved plans and maintained thereafter for that use.
- 13 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 14 Condition: Notwithstanding the plans already submitted, prior to the first occupation of any dwelling hereby permitted the attenuation pond/features shall be enclosed with a boundary treatment and have safety measures installed as necessary, the details of which shall be submitted to, and agreed in writing by, the Local Planning Authority. The boundary treatment and safety measures shall be erected prior to the first occupation of any dwelling hereby permitted and shall thereafter be retained and maintained in accordance with the agreed details.
- 14 Reason: In the interests of safety in accordance with the NPPF and Policy DM15 of the Development Plan.

22/01203/F

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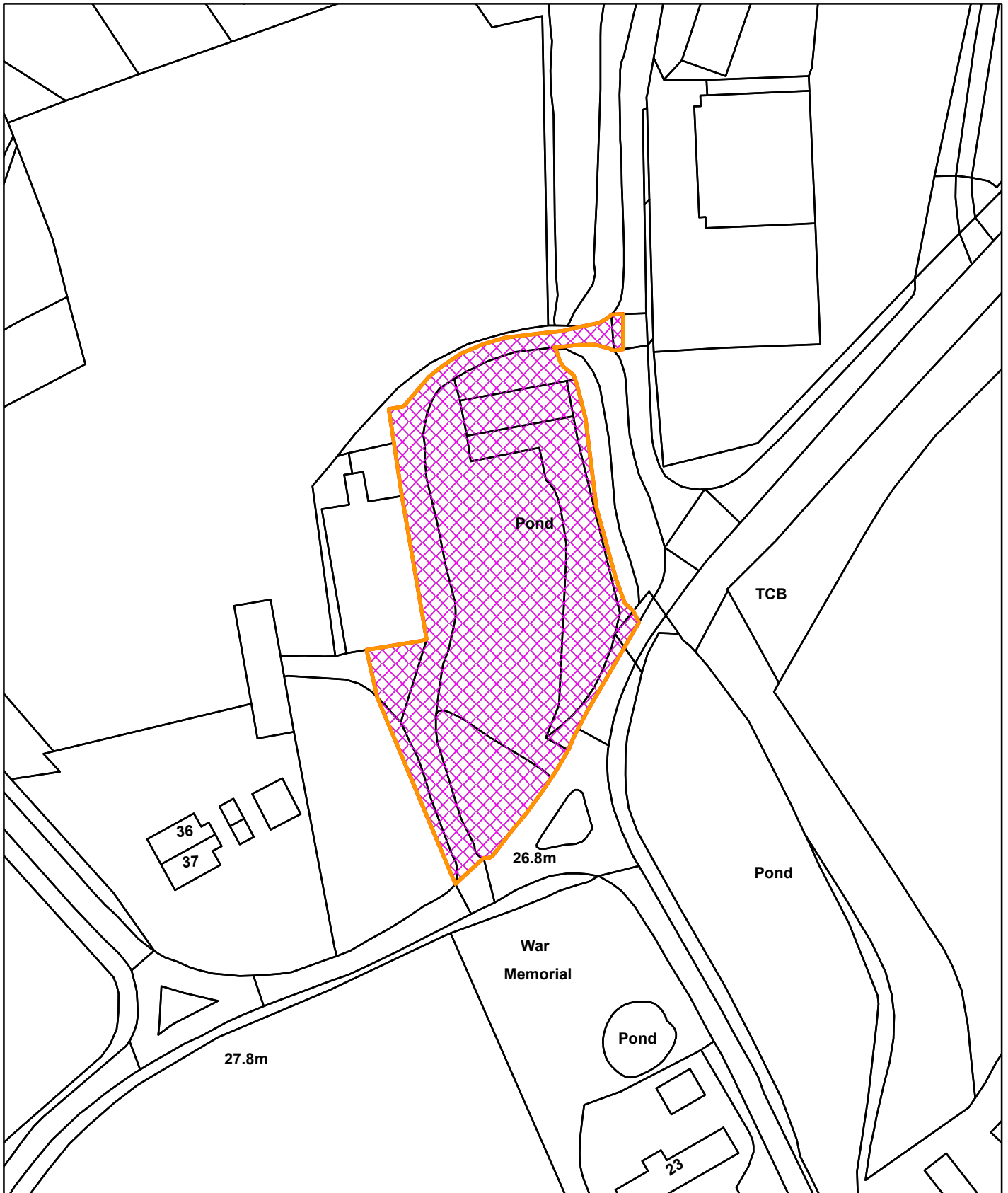
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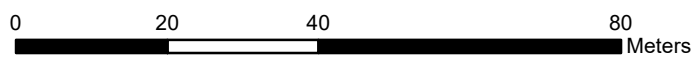


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Parish:	Fring (VACANT)	
Proposal:	Change of use of agricultural barn to 'Welcome Barn' and change of use of agricultural hardstanding to parking	
Location:	Church Farm, Docking Road, Fring, PE31 6SE	
Applicant:	Oykel Farms Ltd	
Case No:	22/01203/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 6 September 2022 Extension of Time Expiry Date: 8 December 2022

Reason for Referral to Planning Committee – Called in by Councillor Parish

Neighbourhood Plan: No

Case Summary

Church Farm is located within Fring which is classified as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy 2011. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The site comprises of an existing agricultural building (a non-designated heritage asset), fronting Docking Road with an area of hard standing positioned to the front. Similar agricultural buildings are positioned to the north, east and south of the site.

The proposal seeks permission for the change of use of an existing agricultural barn to become a 'Welcome Barn' to serve guests of the holiday let accommodation positioned to the north of the site which is being considered under application 22/01216/F. Change of use is also proposed for the agricultural hardstanding positioned to the south of the site, to a parking area.

Amended plans were submitted to show new fencing separating the application site and the neighbouring agricultural building located to the west. A plan was also provided showing the individual uses and associated traffic movements for the neighbouring buildings and a plan annotating the guest only entrance and exit.

This application should be considered in conjunction with application 22/01216/F which seeks the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Key Issues

- Principle of Development
- Form and Character and Impact on the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety and Parking
- Other Material Considerations

Recommendation APPROVE

THE APPLICATION

The application site is located within the small village of Fring. The proposal consists of the change of use of an agricultural building to become a 'Welcome Barn' which will provide a check in/out location for guests of the proposed holiday lets that are considered under application 22/01216/F.

The application site would utilise an existing access off Docking Road and would serve only the Welcome Barn with the neighbouring agricultural buildings host to separate accesses.

Change of use is also sought for the area of hardstanding to the south of the application site, to provide car parking for guests.

Alterations to the existing brick built agricultural building are proposed and consist of the reopening of existing doors to the north, south and west elevations with the insertion of new glazing.

Guests would enter the proposed car park from Docking Road (south) and travel round the back of the Welcome Barn and over the existing bridge to the drop off point positioned to the north of the site within application 22/01216/F.

SUPPORTING CASE

This application seeks planning consent for the conversion of a historic barn to serve as a 'Welcome Barn'. The barn would serve as point of arrival for guests at Church Farm/Fring Estate, and enable the applicants to offer a range of services and facilities to guests. The yard outside the barn would serve as parking for the Courtyard Barn accommodation, and the existing access points would be signed to give a dedicate point of access for guests and a separate, dedicated access for farm traffic.

The application has been submitted simultaneously with a 'partner' application which would see a nearby historic range of barns converted to create 5 new holiday units.

Whilst each of these applications can stand alone, they are presented to the committee as a conjoined proposal. The reason for this slightly unusual format is primarily because, whilst the initial proposal (for holiday units alone) was considered acceptable by relevant technical consultees (albeit subject to comments which have subsequently been addressed), several neighbours to the site expressed specific concerns about impact on amenity and the character and appearance of the area, as well as a more general concern that the lack of a focal point for guests (particularly those arriving to site) leading to disturbance for nearby residents. Residents explained that in the past their houses have been mistaken as being connected to holiday cottage lets elsewhere on the Fring Estate, leading to problems.

In response to these concerns, the applicant met with neighbours to the proposal, and invited anyone with concerns to attend a public meeting held in the local church. The result of this engagement was the addition of the Welcome Barn, along with a dedicated access and parking area. Accordingly, the original application was withdrawn, some amendments made to address other consultation comments, and the proposed conversion of the barns was resubmitted along with the conjoined application for the Welcome Barn.

The net result is a carefully considered proposal which would secure the future of a group of historic barns through sensitive restoration and redevelopment. Whilst not Listed, it is recognised the barn subject of this application, and those in the conjoined proposal, lie in a sensitive location in respect of heritage and, following helpful initial discussions, we are

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pleased to note there are no objections from the Authority's Heritage Officer to either application.

Securing the future of these historic buildings will help preserve the character of the Fring Conservation Area- – a character which owes a great deal to the way in which the applicants have managed the Fring Estate over previous decades. The proposal also represents the successful diversification of the traditional agricultural operations based at the farm, with the development creating new jobs and new opportunities for existing local businesses achieved through appropriate re-use of existing, underused buildings, whilst not adversely impacting operations on the farming unit.

Throughout the design and application process, care has been taken to protect the amenity of local residents. The applicants are pleased to note that, following detailed discussions with the Authority's CSNN officer, that there are no objections from any technical consultee in respect of impact on amenity.

In summary then, taken together these applications for conversion of barns to provide holiday units, and the change of use of a barn to provide a Welcome Barn, would deliver the sympathetic and sustainable reuse of a historic range of barns. The proposal is compliant with all relevant Local Plan

policies, received no objections from technical consultees and directly accords with the provisions of the National Planning Policy Framework, which promotes the reuse of existing buildings and small-scale tourism development in countryside locations such as this. For these reasons, members of the Planning Committee are invited to endorse the conclusion of your Planning Officers, and approve this application.

PLANNING HISTORY

22/01216/F - Pending Consideration - Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

21/02341/F – withdrawn (15.06.2022) - Conversion of historic barns and associated building works to create 6 units of holiday accommodation including associated internal and external amenity space and upgrading of an existing agricultural access.

RESPONSE TO CONSULTATION

Parish Council: NO COMMENTS RECEIVED

Highways Authority: NO OBJECTION:

subject to conditions relating to parking, surfacing and turning areas.

Conservation Officer: NO OBJECTIONS on the following grounds:

By and large the proposed conversion follows advice from Historic England's "Adapting Traditional Farm Buildings September 2017, including the position and types of new openings into existing walls. Detail including materials, joinery (doors and windows), roof lights and landscaping will need to be carefully conditioned. In general, the omission of the new road to the north of the church is to be welcomed. Whilst some harm will inevitably be caused to the fabric of the building and the appearance of the conservation area, this harm is less than substantial and in this instance is outweighed by the public benefit including the repair and reuse of the barns themselves, along with finding them sustainable future

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Natural England: NO OBJECTIONS

Internal Drainage Board: NO OBJECTIONS

Environmental Health & Housing – Environmental Quality: NO OBJECTIONS on the following grounds:

The use of the site as a welcome barn would not lead it to be more sensitive in regard to land contamination. However, the previous use for agricultural storage means it is possible that contamination could have occurred on site. Therefore, a condition shall be added to ensure that any contamination is reported.

Historic England: NO OBJECTIONS

Historic Environment Service: NO OBJECTIONS on the following grounds:

The proposed development affects a heritage asset comprising a threshing barn depicted on the c.1840 Tithe map and therefore of probable early 19th century or 18th century date. The proposed works will alter and affect the significance of the heritage asset which is worthy of recording prior to its conversion. If planning permission is granted, we therefore ask that this be subject to condition for a programme of archaeological work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

Environment Agency: NO OBJECTIONS

Community Safety and Neighbourhood Nuisance: NO OBJECTIONS

No objections following the receipt of amended plans. It is recommended that external lighting for user safety/access is mounted and designed to direct light downwards to prevent glare impacts beyond the site.

REPRESENTATIONS

A total of **EIGHT OBJECTIONS:** received stating the following reasons:

- Increased vehicle movements and impact on highway
- Light pollution
- Noise
- Impact on the character and appearance of the area
- Impact on residential amenity

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

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

Principle of Development:

The application site lies within the small village of Fring within an existing agricultural business of Church Farm. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The proposal seeks permission for the change of use of an agricultural barn to become a Welcome Barn. The barn would be used for the checking in and out of guests of the holiday let's located to the north of the site. The proposed holiday lets are under consideration via application 22/01216/F and the applications should be considered in connection with each other.

The site forms part of an existing farming business within the countryside and the proposed change of use would result in farm diversification which is supported by policy CS06 of the Core Strategy 2011.

Policy CS10 of the Core Strategy states that retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area. The Council will promote smaller scale tourism opportunities in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment. The Council will permit the development of new tourism accommodation in rural areas subject to the following criteria being met:

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

The proposed works related to the change of use of the agricultural barn are considered to be of an acceptable design that will positively contribute to the character of the area and landscape. The site is located within an acceptable distance to local tourist facilities such as restaurants, shops and beaches. The site is located 2.4 miles from Docking which is classified as a Key Rural Service Centre within policy DM2 of the SADMP. Therefore, the proposed development is considered to comply with policy CS10 of the Core Strategy.

Whilst the Welcome Barn would not provide any overnight accommodation, it would support a possible holiday tourist site. The application has been submitted with a business plan that sufficiently demonstrate how the site will be managed and how it will support tourism in the local area without impacting the existing agricultural business. The plan evidences the proposed day to day running of the holiday lets and includes the following:

- The proposed accommodation will be operated and managed by the Estates in house team which is already responsible for management of the existing holidays let's located in the area. Therefore, the team us experienced in ensuring that the holiday lets run in a manner which has the smallest possible impact on other residents in the village.
- The proposed welcome barn would provide a physical point of contact for guests on arrivals and would provide an area where guests can drop in to ask questions and pick up provisions.
- It is anticipated that the welcome barns would be staffed and when not manned, a 24/7 telephone contact would be provided to be used in this event on on-site emergencies.
- The proposed change of use would require internal and external alterations to the barn however, the proposed changes are considered to be of a high standard of design and would not have a detrimental impact on the visual amenity and historic environment. The proposal also seeks the change of use of the area of hardstanding positioned to the front of the site. The hardstanding would provide parking for the holiday guests and would be accessed via Docking Road with its own access separate. Overall, the proposed development is considered to comply with Policy DM11 of the SADMP 2016.

Form and Character and Impact on the Conservation Area

The application site lies within the Fring Conservation Area and approximately 50m west of the Grade II* Listed All Saints Church. The agricultural barn in question is not listed but it is a non-designated heritage asset. The Conservation Area has evidential value as an example of a small rural village, largely unchanged since the 19th century. There is a level of aesthetic value, particularly around the church and Church Farm barns. However, some areas the aesthetic value has been impacted by modern agricultural development.

The agricultural barn in question is a large, double height barn with a pitched pantile roof. The western end of the barn is predominantly constructed from coursed chalk block work. The eastern end is a later addition and constructed from regular brick quoins with stone infill. There is a door opening in the western gable end and a larger opening on the north facing gable with substantial brick buttresses. The east facing gable leads on to a stone wall which encloses the farmyard and separates it from the adjacent linear pond. The southern elevation includes a small window sized opening at first floor however, evidence within the building suggests there has been a larger opening.

The main alteration to the barn would be the reopening of an original doorway in the southern elevation. This doorway has at some point been infilled and the other openings are existing with glazing to be set behind the external wall line.

Permission is also sought for the change of use of the hardstanding area to the front of the barn to become a car park that will be accessed via an existing access from Docking Road. The access would serve the welcome barn only and the car park will be enclosed to the west with park land fencing. No works are proposed to the area of hardstanding and a refuse and bin storage location would be positioned to the west of the site, next to the existing agricultural building, details of which will be secured via condition.

The proposed works are considered to comply with the advice from Historic England's "Adapting Traditional Farm Buildings September 2017" in terms of making use of existing openings into existing walls.

The main impact on the neighbouring Grade II* listed church would be on the setting of the Church as a result of any alterations to the barn. The proposal includes the insertion of new doors and glazing in the north and west elevations of the barn. However, these openings are existing and the barn is located some 100m from the church.

Whilst the proposal will inevitably cause some harm to the fabric of the building and the appearance of the conservation area, this harm is less than substantial and in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barn along with finding the building a sustainable future. Therefore, the proposal is considered to comply with paragraph 202 of the NPPF.

Paragraph 206 of the NPPF also states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset, or which better reveal its significance should be treated favourably.

Overall, the proposal is considered to result in less than substantial harm to the setting of the designated heritage asset All Saints Church and Fring conservation area. The proposed works will make use of existing openings as per Historic England's advice with the sensitive insertion of glazing. The less than substantial harm will be outweighed by the public benefit of securing a sustainable future for the barn and the benefits arising from the economic activity.

The proposal demonstrates an understanding of the significance of the heritage assets and the potential impact of the proposal on that significance by being of an appropriate design and scale. Therefore, the proposal is considered to comply with policy DM15 of the SADMP and paragraphs 202, 203 and 206 of the NPPF.

Impact on Neighbouring Amenity

The application site is located within Church Farm and is host to an existing agricultural business. The site is host to three separate accesses from Docking Road.

The 2no. agricultural buildings located to the east of the site are currently used as storage and are accessed via their own access which also serves the residential properties located to the north of the site.

To the west of the site are 2no. agricultural buildings also used for grain and machinery storage and are both accessed by individual entrances.

A residential property is also located to the west however, the property is located some 88m from the barn in question.

The other residential properties are located to the north, some 120m away.

The proposed Welcome Barn would provide an official meeting point for potential guests. The Welcome Barn would allow guests to check in and out of the proposed holiday let accommodation as well as providing tourist information and provisions such as wood.

The Welcome Barn has been introduced following the withdrawal of a previous application on this site where a number of concerns were raised by neighbouring properties with regards to impact on amenity from guests traveling to and from the accommodation. Concerns were also raised by the public that guests may get lost or have difficulty finding the site resulting in disruption to existing residential dwellings. The welcome barn would prevent guests approaching residential properties for directions and will also provide a place for parking, accessed via its own access.

Guests would be able to make a 'drop off' and 'pick up' trips to the proposed holiday lets which are considered under a separate application. It is proposed that guests would enter from Docking Road via the separate access and travel via vehicle, round the welcome barn, over the bridge to the north of the building and up the existing road to the designated drop off area. Guests would then be encouraged to park their vehicle on the hard standing area and travel to and from the accommodation by foot until check out day.

Whilst the proposal would result in additional vehicle movements within the site, this would be limited to days of checking in and out.

The existing agricultural use could allow for numerous machinery and other agricultural related vehicles moving between the barns throughout the site at all hours of the day. This could have a much more detrimental impact on residential properties in terms of noise and odour compared to the infrequent and controlled vehicle movements of guests.

Given, the separation distance between the residential properties, Welcome Barn and parking area, it is not considered that the proposed development would have an unacceptable impact on residential amenity in terms of noise.

Existing openings would be reopened as part of the change of use of the barn and new glazing would be inserted. However, the glazing would not serve any habitable rooms and will not directly overlooking any of the residential properties. Therefore, the proposal is considered to comply with policy DM15.

Highway Safety and Parking:

The existing area of agricultural hardstanding would provide a new car park for guests of the proposed holiday lets and would be accessed via an existing access off Docking Road. The access would only serve the Welcome Barn with the agricultural buildings utilising existing separate accesses.

The site provides a sufficient amount of parking for the guests and complies with policy DM17.

The guests would utilise the existing track positioned to the east of the site to access the drop off point. Guests would then be encouraged to access their accommodation on foot throughout their stay.

The route located to the north of the barn would only be used by guests and the neighbouring agricultural unit to the west has no rear entrance/exit, therefore, the route would not be shared with agricultural vehicles or machinery.

New parkland fencing is proposed between the agricultural units still currently in use and the barn in question, to ensure no vehicles or pedestrians enter the agricultural building.

The Highways Authority have confirmed they have no objections to the proposed development. Therefore, the proposal complies with policy DM17 of the SADMPP 2016.

Other Material Considerations:

Ecology:

The application has been submitted with an Ecological Appraisal that confirmed a preliminary survey was issued in April 2020 following the preliminary survey and 2019 bat activity surveys. Updated surveys were undertaken in 2020 with a walkover survey taking place in November 2021 which confirmed there was no material change to the site. A further survey was carried out in October 2022.

The survey recorded some bat activity and droppings of pipistrelle, brown long eared and barbastelle bats within the building as well as a jackdaw *Corvus monedula* and pigeon nest. Two possible bat emergences were also identified. No evidence of owls was recorded within the barn.

Mitigation measures have been included within section 7 of the report and include the following:

- Bird nesting boxes
- Any timber treatment required will be undertaken using bat friendly chemicals
- Any external lighting should be limited to only that absolutely necessary for safety purposes;
- All waste shall be placed directly into skips or designated areas so that debris piles and therefore potential refuge areas are not created
- Installation of bat boxes

Natural England's Standing Advice applies in this instance. The ecological survey concludes that a licence is required prior to commencing development.

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

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

In exercising its functions, including determining planning applications, a Local Planning Authority is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the regulations.

However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements. NE will only grant a licence if satisfied that the three statutory tests prescribed under the directive and regulations have all been met. The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to

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review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA's consideration of the tests:

1. Imperative reasons of overriding public interest (IROPI) – NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the principle of development is considered to accord with the NPPF (2021), the Site Allocations and Development Management Policies Plan 2016 and the Core Strategy 2011. The site will provide a sustainable form of tourism that is considered to support the rural economy and will restore a historic building that contributes positively to the conservation area. The proposed change of use will secure a future for the building as well as allow for essential repair works. This benefit is weighed against the ecological cost arising from the destruction of a bat roost used by small numbers of a relatively common species.

2. No satisfactory alternatives – The proposal seeks the change of use of the existing barn and area of hardstanding to provide a welcome barn and parking area. This will serve the guests of the holidays lets located to the north of the site if approval is granted. The other buildings located on the site are used in connection with the existing agricultural business and used for storage throughout the year. Therefore, there are no other satisfactory alternatives available.

3. The third test, maintaining a favourable conservation status for the affected local bat populations, is assessed as highly achievable for this proposal under EPS licenced mitigation and compensation conditions. Common pipistrelles are classified by Natural England as relatively common bat species, and the number of bats concerned is low. The favourable conservation statuses of the local populations of common pipistrelle are judged as extremely likely to persist despite the proposed development, on condition that there is mitigation with respect to the undertaking of the works. A bat loft will be retained; therefore, the development will not entirely remove the suitable habitat spaces within the building on this basis the LPA consider that the Environment Agency is likely to agree a license for the proposed works.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would be likely to grant a derogation license under the Regulations in relation to this development.

The application is therefore considered to comply with the PPG Guidance, Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Flood Risk:

This part of the site is located within flood zone 1 which is considered as 'Low Probability' and comprises land as having less than a 1 in 1000 year annual probability of fluvial or tidal flooding (i.e. an event more severe than the extreme 1 in 1000 year event). The NPPF states that all uses of land are appropriate in this zone.

Nutrient Neutrality:

This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The proposal will result in additional overnight accommodation, however it is located outside the catchment areas of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site, and does not involve foul or surface water drainage into those catchment areas. As such, it is not likely to have a

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significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

Contamination:

The application has been submitted with an individual screening assessment for the barn which indicates that it has been used for storage of agricultural machinery and has an external modern oil tank . The Environmental Quality Team have reviewed their files and the site is on land that has been occupied by the barns for the duration of their records. The surrounding landscape is largely agricultural with some residential properties.

The use of the site as a welcome barn would not lead it to be more sensitive in regard to land contamination. However, the previous use for agricultural storage means it is possible that contamination could have occurred on site. With this in mind a condition will be added to ensure that contamination is reported if found and an investigation and risk assessment must be undertaken.

Third Party Comments:

A total of 8 objections have been received stating concerns relating to impact on amenity in terms of noise and traffic movements, impact on the character and appearance of the conservation area and highway safety issues.

All of these issues have been taken into considered during the assessment of the application.

The application site is already host to residential properties including existing holiday lets along with an established agricultural use. This means that the existing accesses to and within the site could be used by large, noisy and odorous agricultural machinery at any time. This potential use is considered to have more potential to impact residential amenity in terms of noise and odour compared to the proposed Welcome Barn.

The Welcome Barn would provide a designated parking area for guests during their stay. Guests will be encouraged to walk to and from the Welcome Barn and the holiday lets and utilise the track positioned behind the Welcome Barn to prevent additional vehicle movements and to reduce potential noise disturbance.

The Welcome Barn site would be enclosed by parkland fencing and is not considered to impact on the existing agricultural use.

There is no overnight accommodation proposed within the Welcome Barn and the nearest residential property is located some 41m away. Lighting and hard and soft landscaping detail will be secured via condition and therefore, the proposal is not considered to have a detrimental impact on residential amenity.

The site would provide a sufficient amount of parking for guests and the Highways Authority have confirmed they have no objections to the proposal; therefore, the proposed development is not considered to have a detrimental impact on highway safety.

The proposed works to the existing barn are considered to be minor and would utilise existing opens whilst incorporating materials that appear in keeping with the conservation area.

Whilst the proposal will inevitably cause some harm to the fabric of the building (non-designated heritage assets) and the appearance of the conservation area, this harm is less

than substantial and, in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barns along with finding the buildings a sustainable future.

CONCLUSION

The proposed development is considered to incorporate works that will result in less than substantial harm to the setting of the designated heritage asset, All Saints Church and Fring conservation area. The proposal will provide a sustainable future and allow for the preservation and enhancement of the barn and promote sustainable tourism. The development is not considered to have a detrimental impact on residential amenity of highway safety. Overall, the proposed development is considered to be acceptable and complies with policies DM1, DM2, DM11 and DM15 of the Site Allocations and Development management Policies Plan 2016 and policies CS01, CS02, CS06, CS08, CS10 and CS12 of the Core Strategy 2011.

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 approved shall be carried out in accordance with the following sets of plans:
 - 002 D EXISTING BLOCK PLAN - Received 07.10.2022
 - 22.019 001 B LOCATION PLAN - Received 07.07.2022
 - 003 D EXISTING BARN ELEVATIONS - Received 07.10.2022
 - 004 D EXISTING & PROPOSED FLOOR PLANS - Received 07.10.2022
 - 005 D PROPOSED BLOCK/ROOF PLAN - Received 07.10.2022
 - 006 D PROPOSED ELEVATIONS - Received 07.10.2022
 - P2019-27 D18 MITIGATION PLAN - Received 07.07.2022
- 2 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.
- 3 Condition: In the event that contaminated material should be encountered during ground works or construction the Local Planning Authority shall be notified immediately. A detailed scheme for the investigation, remediation and validation of the site contamination shall thereafter be submitted to the Local Planning Authority for their written approval. The scheme shall include an investigation and assessment to identify the extent of contamination and the measures to be undertaken to avoid risk to people, buildings, and the environment. The development shall thereafter be implemented in accordance with the approved scheme.
- 3 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with the NPPF.
- 4 Condition: No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which should comprise photographic survey of the

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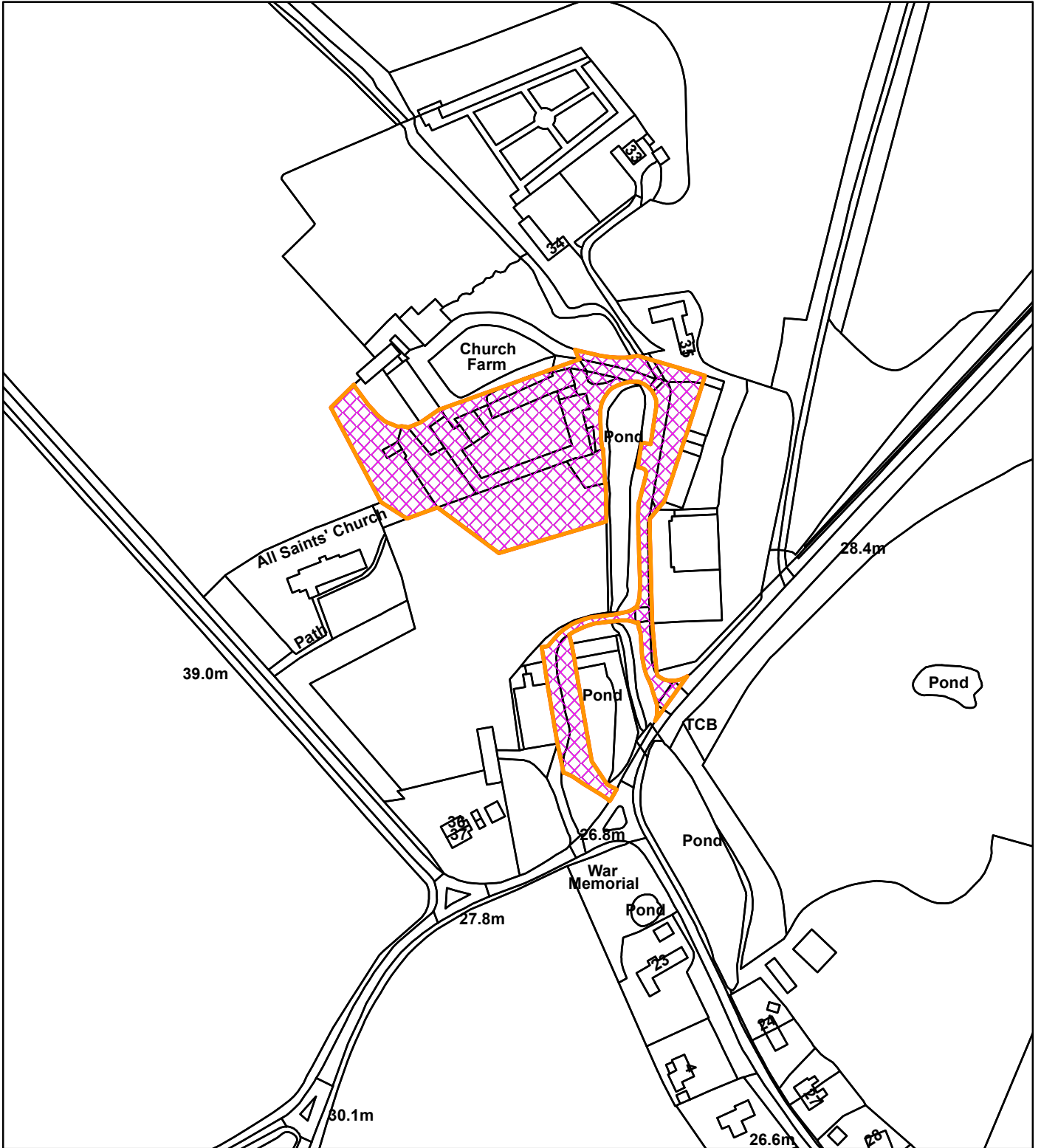
structures, the results of which shall be submitted by the applicant and approved in writing by the local planning authority.

- 4 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 5 Condition: Prior to the first use of the development hereby permitted the proposed on-site car parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/maneuvering area, in the interests of highway safety.
- 6 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 have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 7 Condition: Prior to the commencement of the development 1:20 drawings of all new windows and doors shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross-sections and the opening arrangements. The development shall be implemented in accordance with the approved details.
- 7 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.
- 8 Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works 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.
- 8 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 9 Condition: The development hereby permitted shall be implemented in accordance with the mitigation measures specified in part 7 of the Ecology Appraisal written by Philip Parker associates Ltd dated 25th November 2021 and section 1.24 of Ecology Appraisal written by Philip Parker associates Ltd dated 18th October 2022 which include but are not limited to the following:
 - Bird nesting boxes
 - Any timber treatment required will be undertaken using bat friendly chemicals
 - Any external lighting should be limited to only that absolutely necessary for safety purposes;

- Timing of any disturbance works in relation to bats to avoid summer roosting and winter hibernation period
 - Provision of 7 bat boxes and 19 access tiles on trees or buildings as replacements for the roost sites to be lost, plus addition bat boxes as enhancement
 - Landscaping to include plants to attract insects that bats can feed on
 - Limitations on external lighting
 - Use of 1F bitumen felt under tiles as part of any re-roofing works as it is likely that bats would be able to re-access under tiles on completion of any works
 - Provision of bat loft over the courtyard entrance
 - Careful methods of clearance of the site to avoid impacts on amphibians and small mammals
- 9 Reason: To ensure that the impact of the development upon protected species is minister in accordance with the NPPF and NPPG.
- 10 Condition: Prior to the installation of any external lighting 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.
- 10 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality and protected species in accordance with the NPPF.
- 11 Condition: The Welcome Barn hereby approved shall only be used in connection with the holiday lets and associated infrastructure approved under (22/01203/F) and highlighted in blue on drg no. 22.019 001 B (received 07.07.2022).
- 11 Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.

22/01216/F

Church Farm, Docking Road, Fring, PE31 6SE



Scale: 1:2,500

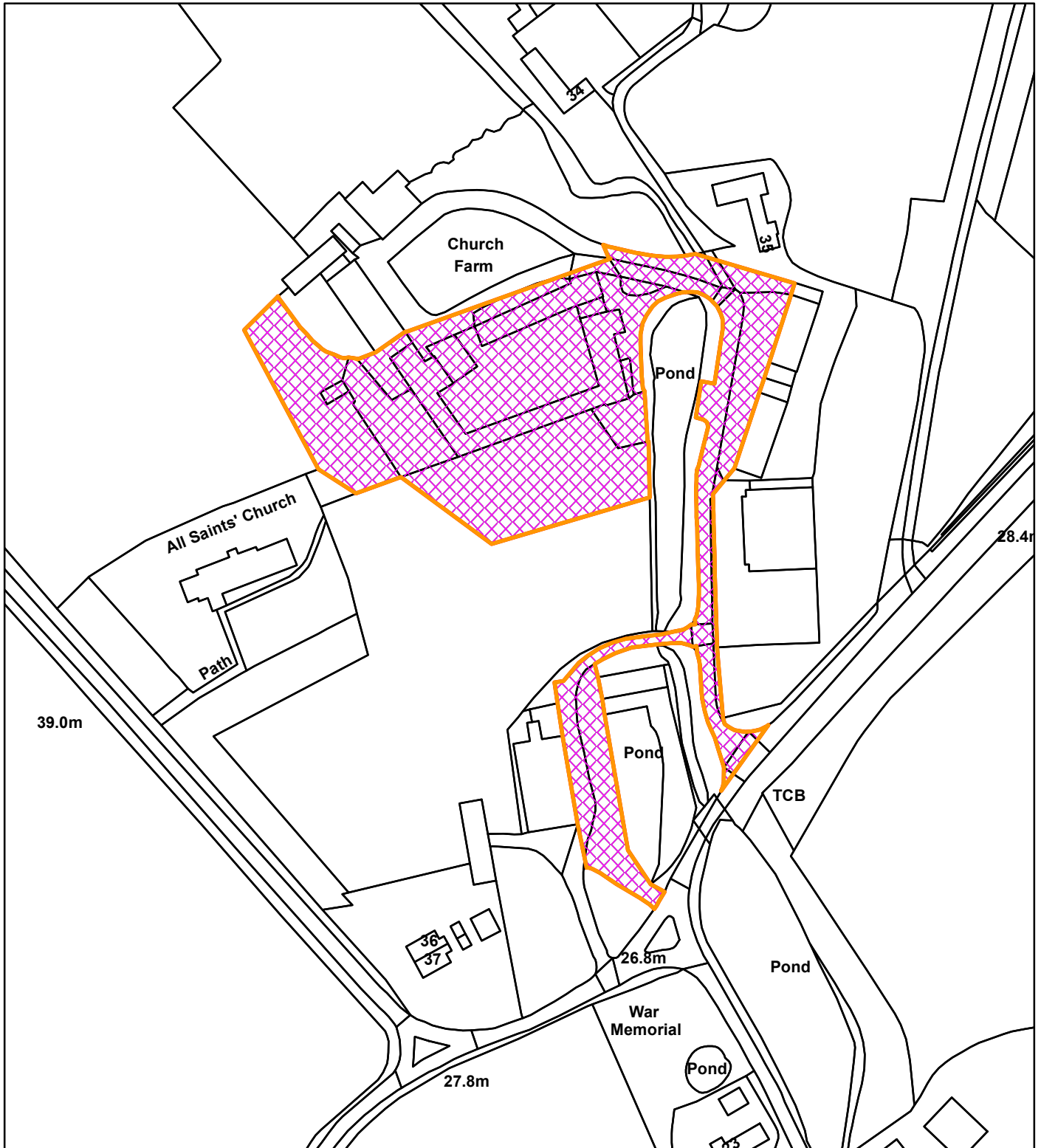
Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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22/01216/F

Church Farm, Docking Road, Fring, PE31 6SE



Scale: 1:1,700

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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Parish:	Fring (VACANT)	
Proposal:	Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.	
Location:	Church Farm, Docking Road, Fring, PE31 6SE	
Applicant:	Oykel Farms Ltd	
Case No:	22/01216/F (Full Application)	
Case Officer:	Olivia Luckhurst	Date for Determination: 5 September 2022 Extension of Time Expiry Date: 8 December 2022

Reason for Referral to Planning Committee – Called in by Councillor Parish

Neighbourhood Plan: No

Case Summary

Church Farm is located within Fring which is classified as a Smaller Village and Hamlet within Policy CS02 of the Core Strategy 2011. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The site is located within the Conservation Area of Fring and comprises of a cluster of agricultural barns which are classified as non-designated heritage assets with an integral grassed courtyard positioned to the north of the site and accessed via Docking Road. Residential properties are positioned to the north and east of the barns with agricultural buildings located to the south along the main access road. All Saints Church (Grade II*) is positioned to the south west of the barns with open space separating the sites.

The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space. Parking for the holiday lets will be located to the south of the site and is sought for under application 22/01203/F.

Amended plans were submitted to show a new brick and flint wall positioned adjacent the proposed drop off area and changes to fenestration. A plan was also provided showing the individual uses and associated traffic movements for the neighbouring buildings and a plan annotating the 'guest only' entrance and exit.

This application should be considered in conjunction with application 22/01203/F which seeks permission for the change of use of an agricultural barn to become a 'Welcome Barn' and the change of use of agricultural hardstanding to parking.

Key Issues

Principle of Development
Form and Character and Impact on the Conservation Area

Impact on Neighbour Amenity
Highway Safety and Parking
Other Material Considerations

Recommendation

In the event that application 22/01203/F considered earlier on this agenda is **Approved**:

APPROVE subject to the imposition of conditions

OR

In the event that full application 22/01203/F considered earlier on this agenda is Refused, to ensure a comprehensive and high quality design and layout is achieved across the whole site, and to protect residential amenity then this application would also be recommended for **REFUSAL**.

THE APPLICATION

The application site is located within the small village of Fring. The proposal consists of the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Users would park at the Welcome Barn which is being considered under application 22/01203/F and is accessed via a separate access off Docking Road.

The majority of the proposed works to the barns would allow for internal alterations and the opening up of existing windows and doors.

A drop off area would be positioned to the east of the site which would allow guests to park up on arrival and drop off luggage. Guests would then be encouraged to travel between the welcome barn and the accommodation on foot.

SUPPORTING CASE

This application seeks planning consent for the conversion of a historic range of Barns to provide 5 holiday units. The application has been submitted simultaneously with a 'partner' application which would provide a dedicated means of access and parking to be used in association with the proposed new holiday units, as well as a 'Welcome Barn' which would serve as a hub for visitors.

Whilst each of these applications can stand alone, they are presented to the committee as a conjoined proposal. The reason for this slightly unusual format is primarily because whilst the initial proposal (for holiday units alone) was considered acceptable by relevant technical consultees (albeit subject to comments which have subsequently been addressed), several neighbours to the site expressed specific concerns about impact on amenity and the character and appearance of the area, as well as a more general concern that the lack of a focal point for guests (particularly those arriving to site) leading to disturbance for nearby residents. Residents explained that in the past their houses have been mistaken as being connected to holiday cottage lets elsewhere on the Fring Estate, leading to problems for residents.

In response to these concerns, the applicant met with neighbours to the proposal, and invited anyone with concerns to attend a public meeting held in the local church. The result

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of this engagement was the addition of the Welcome Barn, along with a dedicated access and parking area. Accordingly, the original application was withdrawn, some amendments made to address other consultation comments, and the proposed conversion of the barns was resubmitted along with the conjoined application for the Welcome Barn.

The net result is a carefully considered proposal which would secure the future of a range of historic barns through sensitive restoration and redevelopment. Whilst not Listed, it is recognised the barns lie in a sensitive location in respect of heritage and, following helpful initial discussions, we are pleased to note there are no objections from the Authority's Heritage Officer to either application.

Securing the future of these historic buildings will help preserve the character of the Fring Conservation Area- – a character which owes a great deal to the way in which the applicants have managed the Fring Estate over previous decades. The proposal also represents the successful diversification of the traditional agricultural operations based at the farm, with the development creating new jobs and new opportunities for existing local businesses achieved through appropriate re-use of existing, underused buildings, whilst not adversely impacting operations on the farming unit.

Throughout the design and application process, care has been taken to protect the amenity of local residents. The applicants are pleased to note that, following detailed discussions with the Authority's CSNN officer, that there are no objections from any technical consultee in respect of impact on amenity.

In summary then, taken together these applications for conversion of barns to provide holiday units, and the change of use of a barn to provide a Welcome Barn, would deliver the sympathetic and sustainable reuse of a historic range of barns. The proposal is compliant with all relevant Local Plan policies, received no objections from technical consultees and directly accords with the provisions of the National Planning Policy Framework, which promotes the reuse of existing buildings and small-scale tourism development in countryside locations such as this. For these reasons, members of the Planning Committee are invited to endorse the conclusion of your Planning Officers, and approve this application.

PLANNING HISTORY

22/01203/F - Pending Consideration - Change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

21/02341/F - withdrawn (when?)- Conversion of historic barns and associated building works to create 6 units of holiday accommodation including associated internal and external amenity space and upgrading of an existing agricultural access.

RESPONSE TO CONSULTATION

Highways Authority: NO OBJECTIONS:

Natural England: NO OBJECTIONS:

Conservation Officer: NO OBJECTIONS on the following grounds:

By and large the proposed conversion follows advice from Historic England's "Adapting Traditional Farm Buildings September 2017, including the position and types of new

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openings into existing walls. Detail including materials, joinery (doors and windows), roof lights and landscaping will need to be carefully conditioned.

In general, the omission of the new road to the north of the church is to be welcomed. Whilst some harm will inevitably be caused to the fabric of the building and the appearance of the conservation area, this harm is less than substantial and in this instance is outweighed by the public benefit including the repair and reuse of the barns themselves, along with finding them a sustainable future.

Internal Drainage Board: NO OBJECTIONS:

Environmental Health & Housing – Environmental Quality: NO OBJECTIONS on the following grounds:

The surrounding landscape is largely agricultural with some residential properties. Due to the site being used to store agricultural machinery over a prolonged period and the presence of a fuel tank it is possible that there may be some contamination present. Because of this we recommend a Phase 1 Desk Study be completed to explore this further. This can be submitted prior to a decision being made or we can recommend the full contamination investigation and remediation conditions.

Historic England: NO OBJECTIONS

Community Safety and Neighbourhood Nuisance:

NO OBJECTIONS: following the receipt of amended plans. It is recommended that external lighting for user safety/access is mounted and designed to direct light downwards to prevent glare impacts beyond the site.

Historic Environment Service: NO OBJECTIONS on the following grounds:

The proposed development affects a heritage asset comprising a threshing barn depicted on the c.1840 Tithe map and therefore of probable early 19th century or 18th century date. The proposed works will alter and affect the significance of the heritage asset which is worthy of recording prior to its conversion. If planning permission is granted, we therefore ask that this be subject to condition for a programme of archaeological work in accordance with National Planning Policy Framework. Ministry of Housing, Communities and Local Government (2021). para. 205.

Environment Agency: NO OBJECTION: subject to mitigation measures detailed within the Flood Risk Assessment.

REPRESENTATIONS

A total of **TWENTY TWO OBJECTIONS:** from **FOURTEEN** individuals regarding the following:

- Impact on amenity
- Noise disturbance
- Increased vehicle movements
- Change to the character of the village
- Impact on the conservation area
- Impact on the listed Church
- Impact on protected species
- Impact on dark skies

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

OTHER GUIDANCE

Fring Conservation Area Character Statement

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character and Impact on the Conservation Area
- Impact on Neighbour Amenity
- Highway Safety and Parking
- Other Material Considerations

Principle of Development:

The application site lies within the small village of Fring within the existing land associated with the agricultural business of Church Farm. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

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The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Permission is also sought under application 22/01203/F for a Welcome Barn positioned to the south of the site in association with the proposed holiday lets, therefore, the applications should be considered in connection with each other.

Policy CS06 confirms the strategy for rural areas is to promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity, whilst maintaining local character and a high-quality environment. The policy also supports farm diversification schemes and conversion of existing buildings for business purposes in accordance with Policy CS10 providing any proposal meets sustainable development objectives and helps to sustain the agricultural enterprise; is consistent in its scale with its rural location. The proposal must also be beneficial to the local economic and social needs and must not adversely affect the building and the surrounding area or detract from residential amenity.

Policy CS10 of the Core Strategy states that retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area. The Council will promote smaller scale tourism opportunities in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment. The Council will permit the development of new tourism accommodation in rural areas subject to the following criteria being met:

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

The application site lies within the small village of Fring within an existing agricultural business of Church Farm. The site is not within a defined settlement boundary and is therefore, considered as countryside in policy terms.

The proposal seeks permission for the change of use of historic barns and associated building works to create 5 units for holiday accommodation including associated internal and external works and amenity space.

Permission is also sought under application 22/01203/F for a Welcome Barn positioned to the south of the site in association with the proposed holiday lets, therefore, the applications should be considered in connection with each other.

Policy DM11 (Touring and Permanent Holiday Sites) of the SADMPP 2016 states that proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:

- The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;

The proposed development has been submitted with a supporting business plan that sufficiently demonstrate how the site will be managed and how it will support new and existing tourism in the local area, for example:

- The proposed accommodation will be operated and managed by the Estates in house team which is already responsible for management of the existing holiday lets located in the area. Therefore, the team is experienced in ensuring that the holiday lets run in a manner which has the smallest possible impact on other residents in the village.
- The proposed welcome barn would provide a physical point of contact for guests on arrivals and would provide an area where guests can drop in to ask questions and pick up provisions.
- It is anticipated that the welcome barns would be staffed and when not manned, a 24/7 telephone contact would be provided to be used in this event on on-site emergencies.

The proposal would incorporate changes to the barns however, the majority of this would be internal to allow for layout changes with the sealing of existing openings with new glazing and doors. The existing footprint of the building would not be changed. The proposed works are considered to be of a quality design that will respect and enhance the barns and would not have a detrimental impact on residential amenity.

The site is host to 3 no. accesses off Docking Road, two of which would provide access to agricultural buildings and neighbouring residential properties. The guests of the holiday lets would utilise an existing access leading into the proposed Welcome Barn area. Guests would then use the existing road to the rear of the Welcome Barn to drive up to the drop off area and back. Once a drop off has been made, guests would be encouraged to walk to and from the accommodation. Therefore, it is considered that the site can be accessed safely.

The application has also been submitted with a Flood Risk Assessment as the site is located just outside of Flood Zone 3. The assessment proposes sufficient mitigation measures that would be conditioned. The Environment Agency has confirmed no objection and the development is in accordance with national policies on flood risk. Therefore, the proposal is considered to comply with policy DM11.

The proposed works related to the change of use of the historic agricultural barns and associated works are an acceptable design that will positively contribute to the character of the area and preserve the historic buildings. The site is located within an acceptable distance to local tourist facilities such as restaurants, shops and beaches. The site is located 2.4 miles from Docking which is classified as a Key Rural Service Centre within policy DM2 of the SADMPP.

The proposed development is not considered to have an adverse impact on residential amenity and will help to sustain the existing agricultural business whilst appearing in keeping with the rural location.

Overall, the proposed development is considered to comply with policy CS06, policy CS10 of the Core Strategy 2011 and policy DM11 of the SADMPP 2016.

Form and Character and Impact on the Conservation Area

The application site lies within the Fringing Conservation Area and approximately 58m north of the Grade II* Listed All Saints Church. The agricultural barns in question are not listed but given their age and quality, are non-designated heritage assets. The Conservation Area has evidential value as an example of a small rural village, largely unchanged since the 19th century. There is a level of aesthetic value, particularly around the church and Church Farm barns. However, in some areas the aesthetic value has been impacted by modern agricultural development.

The Courtyard Barns are a 'U' shaped series of barns which, with the addition of a run of stables and attached brick wall on the northern side, enclose around a central 'courtyard' area. The barns are thought to date from the late C19 or early C20 and are predominantly constructed from masonry quoins with infill panels consisting of brick flint and carrstone. roofs are traditional cut timber, comprising timber trusses at regular centres supporting a line of purlins to each elevation, with common rafters over. The roofs are finished in clay pantiles, predominantly coloured red but with sections of black where ad-hoc repairs have been affected over the years.

The current application is a resubmission of a previously withdrawn application which sought planning permission for the change of use of the barns to form 6 holiday lets with 14 bedrooms. The current proposal seeks permission for 5 units with 13 bedrooms.

The design of the proposed conversion has been informed by guidance within the Historic England publication 'Adapting Traditional Farm Buildings: Best Practice Guidelines for Adaptive Reuse' (2017) by making use of existing openings and incorporate of traditional materials.

The proposed change of use would incorporate the following works:

- the northern (stables) wing converted to provide 2 units (1 x 3 bed holiday unit, 1 x 1 bed) (also occupying a small part of the Eastern barn).
- the southern wing converted to provide 2 holiday units (1 x 3 bed, 1 x 2 bed units)
- the eastern wing given over to internal amenity space, to be used by all the holiday units (with the exertion of a small area at the northern end, accommodation part of unit 5)
- the western wing converted to provide a single, 4-bedroom unit, including the lowering of the existing first floor within the double height, hipped roof barn at the northern end of the wing

Whilst the proposal includes the addition of new roof lights within the north elevation, views on this section are only available from the within the site and the rear elevation of the stable building is largely obscured by mature vegetation.

The proposals also incorporate the creation of some new openings however, these will replicate existing openings on the barn in terms of size, positioning and materials.

The site is located north of All Saints Church and therefore, the proposed elements that are likely to impact the setting of the church and the conservation area are the new openings to the south facing elevation on the southern wing and west-facing elevation of the western wing of the barns, along with the proposed adjustment to ground levels and introduction of a gravel path to the immediate south of the southern wing of the barns and of the church grounds. The change of use itself will also introduce a new use with a level of new activity in the area.

Guidance for considering the impact of a proposed development on the significance of a designated heritage asset is set out within the NPPF.

Paragraph 202 confirms that where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.

The insertion of new windows on the south facing elevation of the south wing, have been carefully designed to reduce as much harm on the listed church as possible. The openings have been located so as to fit within the masonry quoin and infill panel structure of the barn,

and detailed (with a W40 painted steel frame proposed for the window openings, and timber shutters and louvres on the larger glazed openings) so as to minimise visual impact.

Given the separation distance between the barns and the listed church it is not considered that the new openings would cause substantial harm to the listed building.

The proposed introduction of a gravel path to the immediate south of the barns could be visible from the church, however the proposed alterations to levels would actually screen the western end of the path when viewed from the church

Whilst the proposal will inevitably cause some harm to the fabric of the buildings (non-designated heritage assets) and the appearance of the conservation area, this harm is less than substantial and, in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barns along with finding the buildings a sustainable future. Therefore, the proposal is considered to comply with paragraph 202 of the NPPF.

Paragraph 206 of the NPPF also states that Local planning authorities should look for opportunities for new development within Conservation Areas and World Heritage Sites, and within the setting of heritage assets, to enhance or better reveal their significance. Proposals that preserve those elements of the setting that make a positive contribution to the asset, or which better reveal its significance should be treated favourably.

Overall, the proposal demonstrates an understanding of the significance of the heritage assets and the potential impact of the proposal on that significance. The proposed development incorporates works of an acceptable scale and design that incorporate materials which appear in keeping with the host building and surrounding properties. The proposed works will preserve and enhance the historic buildings which currently lay in disrepair and are no longer in use. Therefore, the proposal is considered to comply with Policy CS12 of the Core Strategy, Policy DM15 of the SADMPP and paragraphs 202, 203 and 206 of the NPPF.

Impact on Neighbouring amenity:

The application site is located within the middle of Church Farm. To the north of the barns is Church Farmhouse and associated gardens positioned some 41m away with a drive way and landscaping separating the two. No.35 is located to the east, some 50m away with the sites main track positioned in between.

The east elevation closest to no.35 will be host to a set of double glazed doors serving the shared amenity space of the holiday lets and a small window serving unit 5's kitchen/dining area. This would be a casement window over a fixed timber panel with the left hand casement opening only, to limit noise.

An existing opening within the north elevation will be utilised for unit no.5's kitchen/diner with opening casements each and an existing timber sliding door.

Given the separation distance between the proposed openings and neighbouring residential properties (Church Farm House and no.35), the windows are not considered to allow for overlooking and would not result in the loss of privacy.

The proposed development does not incorporate a parking area of the guests under this application. Parking is sought under application 22/01203/F along with a Welcome Barn. The applications should be considered in conjunction with each other.

If the welcome barn and parking area is approved under application 22/012030/F, guests would be expected to travel from the Welcome Barn via the existing track behind the barn,

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over the bridge and up to the holiday barns. However, the site is host to another access off Docking Road and if needed, this could be used as well, however, guests would be encouraged to use the Welcome Barn access and track.

This is not considered to be an issue in terms of noise, disturbance or impact on amenity given that agricultural machinery could travel around the site without any restrictions, resulting in larger, noisy, and possibly odorous vehicles travelling past the residential properties. Whereas, the guests would be travelling infrequently, via car at times of check in/out.

Once the guests have checked in or out at the Welcome Barn, they would be allowed to park their vehicle at the designated 'drop off zone' positioned to the east of the barns (38m from no.35). This would simply allow guests to drop off and collect luggage. Elderly or disabled guests will also be allowed to park here if needed. However, guests would be strongly encouraged to travel to and from the holiday accommodation via foot for the rest of their stay. Whilst this arrangement will not be secured via a condition, it is considered to be self-limiting given the number of holiday units and the size of the drop off area. This arrangement would be made clear to guests at the time of booking and would be confirmed again once guests arrive.

An extension to the existing brick and flint wall positioned to the west of no.35 is also proposed. This would provide a sufficient barrier to any potential noise created as a result of the drop off area for the occupants of no.35. The CSNN team have visited the site and formed part of discussions regarding the extension of the existing wall. The team have confirmed they have no objections to proposal and considered that the wall would provide sufficient mitigation for potential noise disturbance. However, given the mixture of residential and agricultural uses on the site, the use of the drop off area is not considered to create a level of noise comparable to the average vehicle movements of residential properties and agricultural machinery.

Overall, the proposed new use and alterations to the barns would result in a slight change of activity on the site however, given the sites lawful agricultural use as well as the existing residential properties on the site, the additional vehicle movements are not considered to create a detrimental level of disturbance.

The barns have been carefully designed to ensure that no overlooking or loss of privacy occurs by reducing the number of windows and doors on the north and east elevation.

Therefore, the proposed development is not considered to have a detrimental impact on residential amenity and complies with policy DM15 of the SADMPP 2016.

Highway Safety and Parking:

The existing area of agricultural hardstanding located to the front of the Welcome Barn would provide a new car park for guests of the proposed holiday lets and would be accessed via an existing access off Docking Road. Guests will be able to drive to the allocated 'drop off point' positioned to the east of the holiday let barns. Once guests have dropped off luggage, they will be encouraged to park at the proposed welcome barn and travel to and from the accommodation by foot.

The Highways Authority have confirmed they have no objections to the proposed development and confirmed that a sufficient amount of parking is provided.

Whilst guests will be encouraged to use the track positioned to the north of the welcome barn, the site is also host to another access off Docking Road which is utilised by the residential properties and agricultural units. Given the lawful use of the site, the possibility of

in frequent movements from guests is not considered to have a detrimental impact on existing users or the road.

The proposal therefore complies with policy DM11 and policy DM17 of the SADMPP 2016

Other Materials Considerations:

Ecology:

The application has been submitted with an Ecological Appraisal that confirmed a preliminary survey was issue in April 2020 following the preliminary survey and 2019 bat activity surveys. Updated surveys were undertaken in 2020 with a walkover survey taking place in November 2021 which confirmed there was no material change to the site. A further survey was carried out in October 2022.

The survey recorded some bat activity and droppings of pipistrelle, brown long eared and barbastelle bats within the building as well as a jackdaw *Corvus monedula* and pigeon nest. Two possible bat emergences were also identified. No evidence of owls was recorded within the barn.

Mitigation measures have been included within section 7 of the report which will be conditioned and include the following:

- Bird nesting boxes
- Any timber treatment required will be undertaken using bat friendly chemicals
- Any external lighting should be limited to only that absolutely necessary for safety purposes;
- All waste shall be placed directly into skips or designated areas so that debris piles and therefore potential refuge areas are not created
- Installation of bat boxes

Natural England's Standing Advice applies in this instance. The ecological survey concludes that a license is required prior to commencing development.

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

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

In exercising its functions, including determining planning applications, a Local Planning Authority is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role of responsibility of the LPA to monitor or enforce NE's obligations under the regulations.

However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the directive and regulations have all been met. The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and

3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA's consideration of the tests:

1. Imperative reasons of overriding public interest (IROPI) – NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the principle of development is considered to accord with the NPPF (2021), the Site Allocations and Development Management Policies Plan 2016 and the Core Strategy 2011. The site will provide a sustainable form of tourism that is considered to support the rural economy and will restore a historic building that contributes positively to the conservation area. The proposed change of use will secure a future for the building as well as allow for essential repair works. This benefit is weighed against the ecological cost arising from the destruction of a bat roost used by small numbers of a relatively common species.

2. No satisfactory alternatives – The proposal seeks the change of use of the existing barns to provide 5 no. holiday lets. The other buildings located on the site are used in connection with the existing agricultural business and used for storage throughout the year. Therefore, there are no other satisfactory alternatives available.

3. The third test, maintaining a favourable conservation status for the affected local bat populations, is assessed as highly achievable for this proposal under EPS licenced mitigation and compensation conditions. Common pipistrelles are classified by Natural England as relatively common bat species, and the number of bats concerned is low. The favourable conservation statuses of the local populations of common pipistrelle are judged as extremely likely to persist despite the proposed development, on condition that there is mitigation with respect to the undertaking of the works. A bat loft will be retained; therefore, the development will not entirely remove the suitable habitat spaces within the building on this basis the LPA consider that the Environment Agency is likely to agree a license for the proposed works.

The LPA can therefore reasonably form the view, from the information submitted to it for this Planning application, that NE would be likely to grant a derogation license under the Regulations in relation to this development. The application is therefore considered to comply with the PPG Guidance, Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

Flood Risk:

Part of the application site is located within flood 2 and 3. Flood Zone 2 has between 0.1%-1% chances of flooding with flood zone 3 having a 1% of flooding. The application has been submitted with a flood risk assessment which proposed appropriate mitigation measures such as ensuring that the ground floor level of the northern and eastern barns is set at a minimum level of 26.108m and the ground floor level of the southern and western barns are set to a minimum level of 26.373m AOD.

The flood risk assessment indicates that safe access/egress would be available during a 1 in 100 year flood event, including an allowance for climate change. The assessment also recommends that a flood response plan is compiled to ensure that the occupants are aware

of the flood risk and procedures to take before, during and after and flood. The Environment Agency has confirmed it has no objections to the proposal subject to the mitigation measures being secured via a condition. Therefore, the proposed development is considered to comply with policy CS08 of the Core Strategy 2011.

Nutrient Neutrality:

This application has been assessed against the conservation objectives for the protected habitats of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site concerning nutrient pollution in accordance with the Conservation of Species and Habitats Regulations 2017 (as amended) (Habitats Regulations). The proposal will result in additional overnight accommodation, however it is located outside the catchment areas of the River Wensum Special Area of Conservation and the Broads Special Area of Conservation and Ramsar site, and does not involve foul or surface water drainage into those catchment areas. As such, it is not likely to have a significant effect on the conservation objectives either alone or in combination with other projects and there is no requirement for additional information to be submitted to further assess the effects. The application can, with regards nutrient neutrality, be safely determined with regards the Conservation of Species Habitats Regulations 2017 (as amended).

Contamination:

The application has been submitted with a screening assessment of the barns in question which indicates that the barns have been used for storage of agricultural machinery including a red diesel tank within the courtyard.

The Environmental Quality Team have reviewed their files and the confirmed that the site is on land that been occupied by the barns for the duration of their records. The surrounding landscape is largely agricultural with some residential properties.

Due to the site being used to store agricultural machinery over a prolonged period and the presence of a fuel tank it is possible that there may be some contamination present. Because of this a Phase 1 Desk Study will be required and secured via conditions to explore this further. The information should be submitted and approved by the LPA prior the commencement of the development.

Third Party Comments:

A total of 22 objections have been received stating concerns relating to impact on amenity in terms of noise and traffic movements, impact on the character and appearance of the conservation area and highway safety issues.

All of these issues have been taken into considered during the assessment of the application.

The application site is already host to residential properties including existing holiday lets along with an established agricultural use. This means that the existing accesses to and within the site could be used by large, noisy and odorous agricultural machinery at any time. This potential use is considered to have more potential to impact residential amenity in terms of noise and odour.

The proposed Welcome Barn which is being considered in connection to this application would provide a designated parking area meaning users would not park on the road or cause traffic within the site. Users would be encouraged to walk to and from the accommodation and the Welcome Barn to further reduce traffic movements.

An existing brick and flint wall located adjacent no.35 will be extended and will provide a barrier for potential noise disturbance created as a result of the drop off point.

Overall, the proposed development is not considered to have a detrimental impact on residential amenity.

The site is also host to three existing accesses which two being utilised for the proposal and one specifically for access to an agricultural building. Given the locations of the existing accesses, it is not considered that the proposed development would have a detrimental impact on highway safety. The Highways Authority have also confirmed that they have no objections to the proposal.

The proposed works to the existing barns are considered to minor and will utilise existing opens whilst incorporating materials that appear in keeping with the conservation area.

Whilst the proposal will inevitably cause some harm to the fabric of the buildings (non-designated heritage assets) and the appearance of the conservation area, this harm is less than substantial and, in this instance, the harm is outweighed by the public benefit including the repair and reuse of the barns along with finding the buildings a sustainable future.

CONCLUSION:

The proposed development is considered to incorporate works that will result in less than substantial harm to the setting of the designated heritage asset, All Saints Church and Fring conservation area. The proposal will provide a sustainable future and allow for the preservation and enhancement of the agricultural barns. The development is not considered to have a detrimental impact on residential amenity in terms of overlooking or noise disturbance. Overall, the proposed development is considered to be acceptable and complies with policies DM1, DM2, DM11, DM15 and DM21 of the Site Allocations and Development management Policies Plan 2016 and policies CS01, CS02, CS06, CS08, CS10 and CS12 of the Core Strategy 2011.

RECOMMENDATION:

In the event that application 22/01203/F considered earlier on this agenda is **Approved:**

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 approved shall be carried out in accordance with the following sets of plans:
 - 22.023 002 D - PROPOSED SITE BLOCK PLAN - Received 18.10.2022
 - 22.023 003 D - PROPOSED FLOOR PLANS - Received 18.10.2022
 - 22.023 004 D - PROPOSED ELEVATIONS SHEET 1 OF 2 - Received 18.10.2022
 - 22.023 005 D - PROPOSED ELEVATIONS SHEET 2 OF 2 - Received 18.10.2022
 - 22.023 SW01 D - SCREEN WALL TO NO. 35 - Received 18.10.2022
 - 22.023 001 B - LOCATION PLAN Received - 18.10.2022
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.

Planning Committee
05th December 2022

- 3 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets, woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

This must be conducted in accordance with the Environment Agency's Land Contamination Risk Management (LCRM).

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 4 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 4 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 5 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

Following completion of measures identified in the approved remediation scheme, a verification report that demonstrates the effectiveness of the remediation carried out must be produced, and is subject to the approval in writing of the Local Planning Authority.

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 6 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 the requirements of condition number 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition number 5, which is subject to the approval in writing of the Local Planning Authority.
- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 7 Condition: No development shall take place within the site until the applicant, or their agents or successors in title, has secured the implementation of a programme of historic building recording which should comprise photographic survey of the structures, the results of which shall be submitted by the applicant and approved in writing by the local planning authority.
- 7 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 8 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 7 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 8 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.
- 9 Condition: Prior to the commencement of the development 1:20 drawings of all new windows, roof lights and doors shall be submitted to and approved in writing by the Local Planning Authority. The plans shall provide for the use of timber single glazed windows, puttied and not beaded and shall include joinery details, cross-sections and the opening arrangements. The development shall be implemented in accordance with the approved details.
- 9 Reason: To ensure that the design and appearance of the development is appropriate in accordance with the principles of the NPPF.

- 10 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 have been submitted to and approved in writing by the Local Planning Authority including a sample panel of at least 1m x 1m showing the proposed material, bond and pointing techniques to be used. The development shall be carried out in accordance with the approved details.
- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 11 Condition: Prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works 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.
- 11 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 12 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.
- 12 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 13 Condition: The development shall be carried out in accordance with the mitigation measures set out in the Flood Risk Assessment (received 11.07.2022) in particular the following:
- The ground floor level of the northern and eastern barns are set at a minimum level of 26.108m AOD.
 - The ground floor level of the southern and western barns are set at a minimum level of 26.373m AOD.
- 13 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters contained within the Flood Risk Assessment
- 14 Condition: Prior to the installation of any external lighting 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.
- 14 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality and protected species in accordance with the NPPF.

- 15 Condition: Prior to the first use of the development hereby permitted the proposed brick wall shown on drg no. 22.023 SW01 D (received 18.10.2022) shall be constructed in its entirety and retained in perpetuity.
- 15 Reason: To protect the residential amenities of the occupiers of nearby property.
- 16 Condition: The development hereby permitted shall be implemented in accordance with the mitigation measures specified in part 7 of the Ecology Appraisal written by Philip Parker associates Ltd dated 25th November 2021 and section 1.24 of Ecology Appraisal written by Philip Parker associates Ltd dated 18th October 2022 which including but not limited to the following:
- Bird nesting boxes
 - Any timber treatment required will be undertaken using bat friendly chemicals
 - Any external lighting should be limited to only that absolutely necessary for safety purposes;
 - All waste shall be placed directly into skips or designated areas so that debris piles and therefore potential refuge areas are not created
 - Installation of bat boxes
 - Timing of any disturbance works in relation to bats to avoid summer roosting and winter hibernation period
 - Provision of 7 bat boxes and 19 access tiles on trees or buildings as replacements for the roost sites to be lost, plus addition bat boxes as enhancement
 - Landscaping to include plants to attract insects that bats can feed on
 - Limitations on external lighting
 - Use of 1F bitumen felt under tiles as part of any re-roofing works as it is likely that bats would be able to re-access under tiles on completion of any works
 - Provision of bat loft over the courtyard entrance
 - Careful methods of clearance of the site to avoid impacts on amphibians and small Mammals
- 16 Reason: To ensure that the impact of the development upon protected species is minimised in accordance with the NPPF and NPPG.
- 17 Condition: The development hereby approved shall not be brought into use until such a time as the parking provision approved pursuant to planning application 22/01203/F and as set out on drg no. 005 D PROPOSED BLOCK/ROOF PLAN received 07.10.2022 has been implemented in full. Thereafter the holiday use hereby approved under this planning permission shall only take place for as long as the entirety of the aforementioned parking provision remains available.
- 17 Reason: To ensure a sufficient amount of parking provision is provided in the interests of highway safety, traffic movement and the protection of residential amenity.
- 18 Condition: The accommodation hereby approved shall be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets.
- 18 Reason: The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 19 Condition: The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and the owners / operators shall maintain an up-to-date register of

lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority.

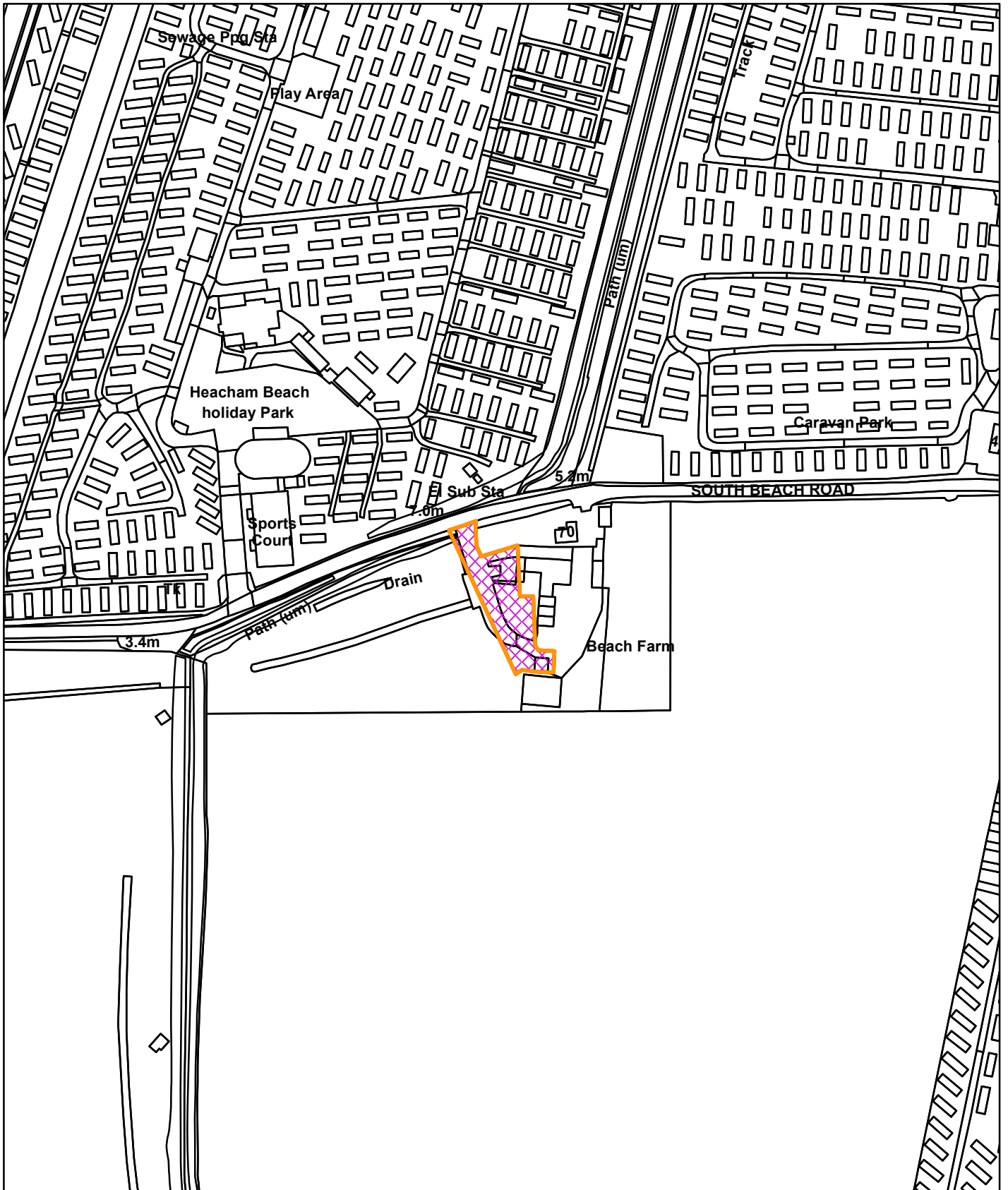
- 19 Reason: The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.

OR

In the event that full application 22/01203/F considered earlier on this agenda is **Refused**, to ensure a comprehensive and high quality design and layout is achieved across the whole site and to protect residential amenity then this application would also be recommended for **REFUSAL**.

21/00080/F

Land W of 70 South Beach Road, Heacham, PE31 7BD



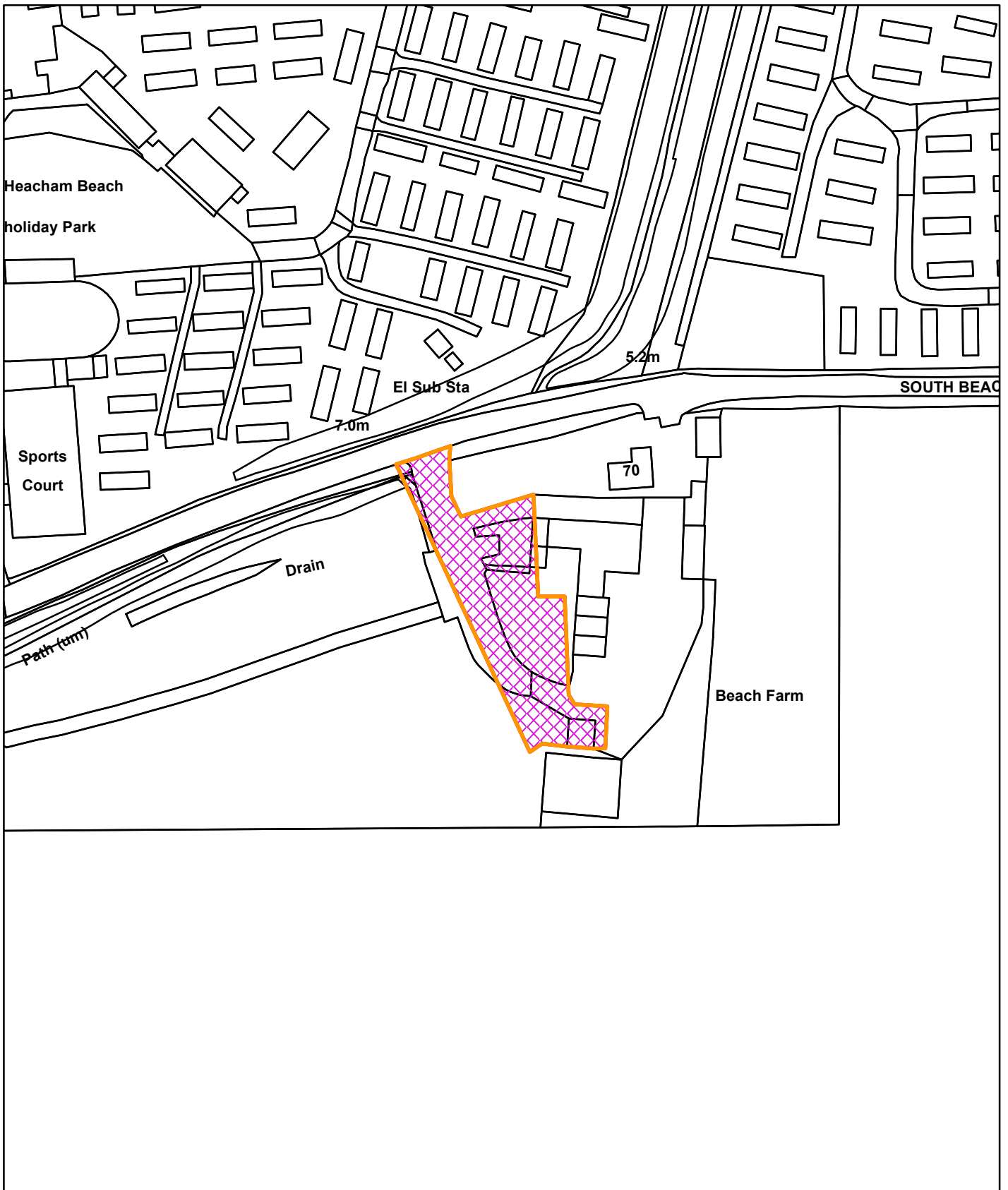
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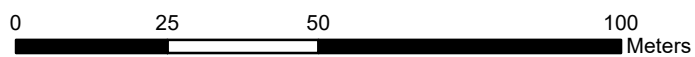
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21/00080/F

Land W of 70 South Beach Road, Heacham, PE31 7BD



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23/11/2022

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Parish:	Heacham	
Proposal:	Retrospective change of use of agricultural land to provide access, parking and turning to adjacent holiday accommodation granted planning permission under ref:12/00197/F	
Location:	Land W of 70 South Beach Road, Heacham, Norfolk, PE31 7BD	
Applicant:	Mr Nigel Marsh	
Case No:	21/00080/F (Full Application)	
Case Officer:	Kelly Sweeney	Date for Determination: 15 March 2021 Extension of Time Expiry Date: 11 November 2022

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

Neighbourhood Plan: Yes

CASE SUMMARY

This application is for the change of use of agricultural land to provide access, parking and turning space for the adjacent holiday accommodation that was granted in 2012 (Ref 12/00197/F. This would overcome an issue of access for the approved holiday let barn conversion, as it is understood that there are difficulties in the availability of the land to facilitate a route from South Beach Road to the holiday conversion site.

The application site is west of the holiday conversion site. The proposal takes access from the north off South Beach Road. The land drops in level from the main carriageway and comprises a bound gravel surface. A decked path has been created adjacent to the vehicular access from South Beach Road. Parking space has been provided within the site for six vehicles and is intended for the use of the occupiers of the adjacent converted Holiday site.

This application has been made retrospectively and the key are:

- Principle of development
- Effect on visual amenity
- Highway matters
- Impact on neighbouring land uses
- Flood risk
- Other matters requiring consideration

Recommendation:

APPROVE

THE APPLICATION

As discussed above this application seeks retrospective planning consent for the creation of a new access leading from South Beach Road to the west of No. 70 South Beach Road. The access leads to existing holiday accommodation which has the benefit of planning permission, granted in 2012 under the ref: 12/00197/F. The application also includes the provision of six new parking spaces located along the western side of the access and an associated turning area.

The site comprises the area of agricultural land which has been changed to the subject access, parking and turning area. No 70 South Beach Road to the east and outside the applicant's ownership is a large, detached dwelling and the approved holiday accommodation (within the applicant's ownership) is made up of several units to the south of No 70. It is noted that to the west of the site there is an unauthorised campsite which is the subject of an enforcement investigation and is separate from this subject application.

SUPPORTING STATEMENT

None submitted to date.

PLANNING HISTORY

20/00543/PACU3: Prior Approval - Refused: 12/06/20 - Prior notification for the proposed change of use from agricultural building to dwelling house - Agricultural Buildings at Beach Farm S of 70 South Beach Road Heacham

20/00523/F: Refused 2/07/20: Conversion of agricultural Building into 3 holiday Homes, 1 x Guest coffee lounge, 4 x games rooms, 1 x store room, 1 x staff rest room, addition of office/reception

19/01626/F: Application Permitted: 12/02/20 - Change of use from the agricultural building with one existing chemical toilet facility into a staff toilet for 6 or more staff working in agriculture

18/01969/F: Application Refused: 16/05/19 - Change of use from agricultural land to short stay non-permanent camp site and erection of a proposed toilet block

18/01920/F: Application Permitted: 09/01/19 - Installation of new timber fencing, including removal of vegetation and low level boundary

18/00507/F: Application Refused: 12/06/18 - Proposed caravan park including 10 pitches for touring caravans/motorhomes and 10 No. static camping pods, site officer/shower block, new vehicular entrance and

16/01494/PACU3: Application Withdrawn: 20/09/16 - Change of use from agricultural building to dwelling house

12/00197/NMA_1: Non-determined. Invalid - now returned: 03/02/17 - NON-MATERIAL AMENDMENT TO PLANNING CONSENT 12/00197/F: Proposed change of use of existing agricultural buildings to holiday home use -

12/00197/F: Application Permitted: 24/05/12 - Proposed change of use of existing agricultural buildings to holiday home use

RESPONSE TO CONSULTATION

Heacham Parish Council: OBJECT on the following grounds:

‘Heacham Parish Council wishes to object strongly to this application, these are some of the reasons: -

Change of use of agricultural land to provide access to ‘holiday accommodation’. It is not clear what this accommodation is as the access proposed serves the campsite, which was refused planning permission and has, intermittently, operated outside the limitations imposed by membership of the camping club ever since (planning enforcement involved we think). The site of the access also had highway concerns which contributed to the earlier refusal. We note that historical farm traffic is quoted as justification for any new traffic generated by the ‘holiday accommodation’. Whatever traffic the farm may have generated is way back in the past and would have been very little. Since then, traffic along South Beach Road has very significantly increased hence the double yellow lines which were installed last year and the large new car park under consideration.

Please note that this is a retrospective application as the Application form states that the work was started and completed on 18th May 2020.

Surely the 1st paragraph of the Planning Statement (below) is a deliberate attempt to mislead the planners by not admitting to the rejection of the application for the camp site and that it is now being run illegally with no planning consent.

... 1. BACKGROUND

This application is necessary as the land for access, parking etc. for Approval 12/00197/F was not sold to the Applicant when he bought the application site. There is currently a legal dispute about the matter, but in the meantime the Applicant has started the development and needs an access, with approval, as soon as possible...

This application is for a separate parcel of land and must be considered in isolation from the original rejected application for change of use to trade as a campsite in 2012 for a different area of land albeit adjacent. If this application is allowed to proceed, then the planning authorities will be seen knowingly to allow access to an illegally run camp site and as such must be held to be in breach of their responsibilities to uphold the law`.

Highway Authority: NO OBJECTION

Having visited the site it is evident that currently visibility is poor due to the existing boundary fence/hedge and vegetation being too high / wide and the access is unmade, which would not form an appropriate access for private car use.

It is however evident that the applicant has the ability to improve visibility. I am mindful of the existing class uses of the site and the permitted class uses that that would carry. As a result, and on balance I therefore recommend the conditions relating to access, splays and parking in the interest of highway safety.

NCC PROW Officer: NO OBJECTION

Environment Agency: No comments received

CSNN: No comments received

Environmental Quality: NO OBJECTION and recommended an informative

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.

REPRESENTATIONS

ONE representation received and whilst it objects to the use of land for the existing holiday lets granted permission in 2012 it is in support of this current application as it is considered to be a better location for the access than what was previously approved set further away from the detached dwelling at No. 70.

LDF CORE STRATEGY POLICIES

CS12 - Environmental Assets

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS07 - Development in Coastal Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM11 – Touring and Permanent Holiday Sites

DM12 - Strategic Road Network

DM17 - Parking Provision in New Development

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NEIGHBOURHOOD PLAN POLICIES

Policy 8: New Business Developments combining living and modest employment

Policy 9: Holiday Accommodation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

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

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development
- Effect on visual amenity
- Highway matters
- Impact on neighbouring land uses
- Flood risk
- Other matters requiring consideration

Principle of development

The application site is within the countryside as defined by the Local Plan and the Heacham Neighbourhood Plan. The site is also in Flood Zone 2 and 3.

It is noted that the application does not propose any new form of accommodation and mainly comprises works that would normally constitute engineering operations and boundary treatments. However, taking into account the planning history the application description includes a change of use from agriculture to enable the site to be used in conjunction with the existing form of recreational accommodation, namely the barn conversion development that is east of the application site permitted under 12/00197/F.

The holiday accommodation approved under 12/00197/F is extant. The purpose of this application is to provide a safe means of access and parking provision for the use of the existing approved holiday let development. The original authorised access to the site was also associated and shared with an adjacent property, but that was sold into separate ownership, without it seems, the retention of rights over the access to the holiday accommodation. The submitted proposal is therefore a pragmatic approach to overcome a technical breach of a condition, and to provide access and parking for the approved holiday let development only. Although the application includes a change of use to the land, no further accommodation is proposed. The red line boundary of the site has been amended during the course of the application, so it does not include land associated with the adjacent unauthorised camping site. The alternative means of access, turning space and parking areas would support the continued operation of the authorised holiday let business. As such

it is considered there is a genuine reason for the proposed development which is a material consideration against the policy framework.

SADMP Policy DM2 identifies that areas outside of settlement boundaries will be treated as countryside where new development will be more restricted. Notwithstanding the use of this access for an unauthorised campsite, which is the subject of a separate enforcement notice, this is an existing access point, that previously served a farm.

The main issue to consider with this application, therefore, is whether or not the use of the former farm access is acceptable, when used in conjunction with the approved barn conversion permitted under 12/00197/F. There is also the reconfigured parking and other associated minor development to consider.

It is therefore considered taking into account the overarching policies within the Local Plan which includes the Heacham Neighbourhood Plan that the principle of the land use change is acceptable.

Effect on visual amenity

Policy CS06 advocates that development will protect the countryside for its intrinsic character and beauty. Policy DM15 seeks to protect and enhance the amenity of the wider environment by assessing proposals against its visual impact.

Notwithstanding the application has been made retrospectively, it is noted there was previously an access and track that lead from South Beach Road which served the previous agricultural use. It is acknowledged that the proposal has increased the hardstanding area and involves the decked pathway.

The site drops from the height of South Beach Road and would not necessarily involve a significant incursion into the countryside with the hardstanding and decked pathway. The materials are a bound gravel which would not appear overly prominent and would still be read visually in conjunction with the existing adjacent built form of the buildings. The boundary fencing is synonymous with an agricultural setting and would not appear incongruous with the wider setting of the site or its surroundings.

It is therefore considered that the development does not cause harm to the visual appearance of the site or it's wider area and therefore the development satisfies policies CS06 and DM15 in respect of its visual amenity.

Highway matters

The development involves the use of an existing means of access off South Beach Road. To accommodate the change in nature of its use the access has been widened with the area in the site for the turning and parking of vehicles to be used in conjunction with the approved holiday lets.

The Highway Authority has acknowledged there to be poor visibility for the access due to the existing boundary fence and unmade ground material. However, it has been established that the applicant has the ability to improve visibility, and taking into account the historic use, they raise no objection subject to planning conditions to improve visibility and the ground material.

The adjacent and associated holiday let development comprises three units with one unit providing three bedrooms and two units accommodating two bedrooms. The proposal

shows that six parking spaces are to be provided to serve the adjacent holiday let development.

Using the recently revised NCC parking standards as a guide, accommodation comprising 2 and 3 bedrooled units should provide two spaces per unit. As such it is considered the development would provide adequate parking provision for the adjacent holiday lets.

It is therefore considered, subject to planning conditions relating to securing visibility splay improvements and ground construction, that the development, once the conditions have been adhered to, will not have a significant negative impact on the local highway or traffic levels, and in fact would be a marginal beneficial one, and as such it is deemed to accord with Local Plan Policies CS08 and CS11.

Impact on neighbouring land uses

The subject development does not harm surrounding land uses. It is noted that the new access is positioned further away from the detached dwelling at No. 70 than the access which was approved under the 2012 application. There are no other residential dwellings within close proximity to the site that could be affected by the access which is the subject of this application.

As such the development does not have a negative impact upon residential amenity and accords with DM15 and NP Policy 8.

Flood Risk

The application site is within Flood zone 2 and 3 of the SFRA however the proposed change of use would be a `less vulnerable` use – not subject to sequential or exceptions tests.

The proposal would therefore comply with Policy CS08 of the Core Strategy and the NPPF.

Other Matters

It is acknowledged the Parish Council has raised an objection to the planning application on the grounds that the parking and access (subject of this application) does not relate to the holiday home use as it is believed that permission has been refused. The Parish Council also places less weight on the generation of traffic using the access onto South Beach Road, noting the uplift in traffic in the area.

The submitted Site Plan identifies the application site and the land to which the access and parking provision would serve. To reiterate this application is for the purposes of the holiday let development approved under 12/00197/F, and a condition can be attached confirming this.

There is an enforcement notice covering the campsite use (to the west) adjacent to the authorised barn conversion. This is separate from this very specific application, to allow access improvements and other associated developments, to serve that authorised holiday use.

The effect of an uplift in traffic levels have been taken into account in respect of the proposed use of the existing access. Planning conditions have been recommended to ensure the improvement of the access in respect of visibility and ground materials to aid highway safety in its future use. Furthermore, a condition has been imposed to ensure that the parking area is to be used in connection the approved holiday lets only.

It is considered the proposal would not affect designated wildlife sites and the Public Right of Way. No objection has been received from Natural England and NCC in respect of the PRoW.

CONCLUSION

The development is of a modest scale and of a relatively low impact. The purpose of the application is to regularise the use of an existing access which provides a safe means of access, turning and parking area for use in conjunction with the adjacent holiday let business which was granted planning permission in 2012. As such, there is justification for the subject development and it is considered the development does not prejudice the character of the countryside with no discernible impact on the nearby neighbour, No. 70 South Beach Road. Assessed on its own merits, separate from the adjacent campsite, the development is considered to be acceptable. The development therefore complies with Core Strategy policies CS06, CS08, CS10 and CS11, Site Allocations and Development Management Policies DM11, DM15 and Heacham Neighbourhood Plan Policies 8 and 9.

It is recommended that planning permission is approved, subject to suitable conditions, as it is considered the proposed development would improve an existing access and would be utilised in conjunction with the holiday home previously approved.

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 plan.

Drawing Number: MAR.20.2 1 Rev A - Site Plan

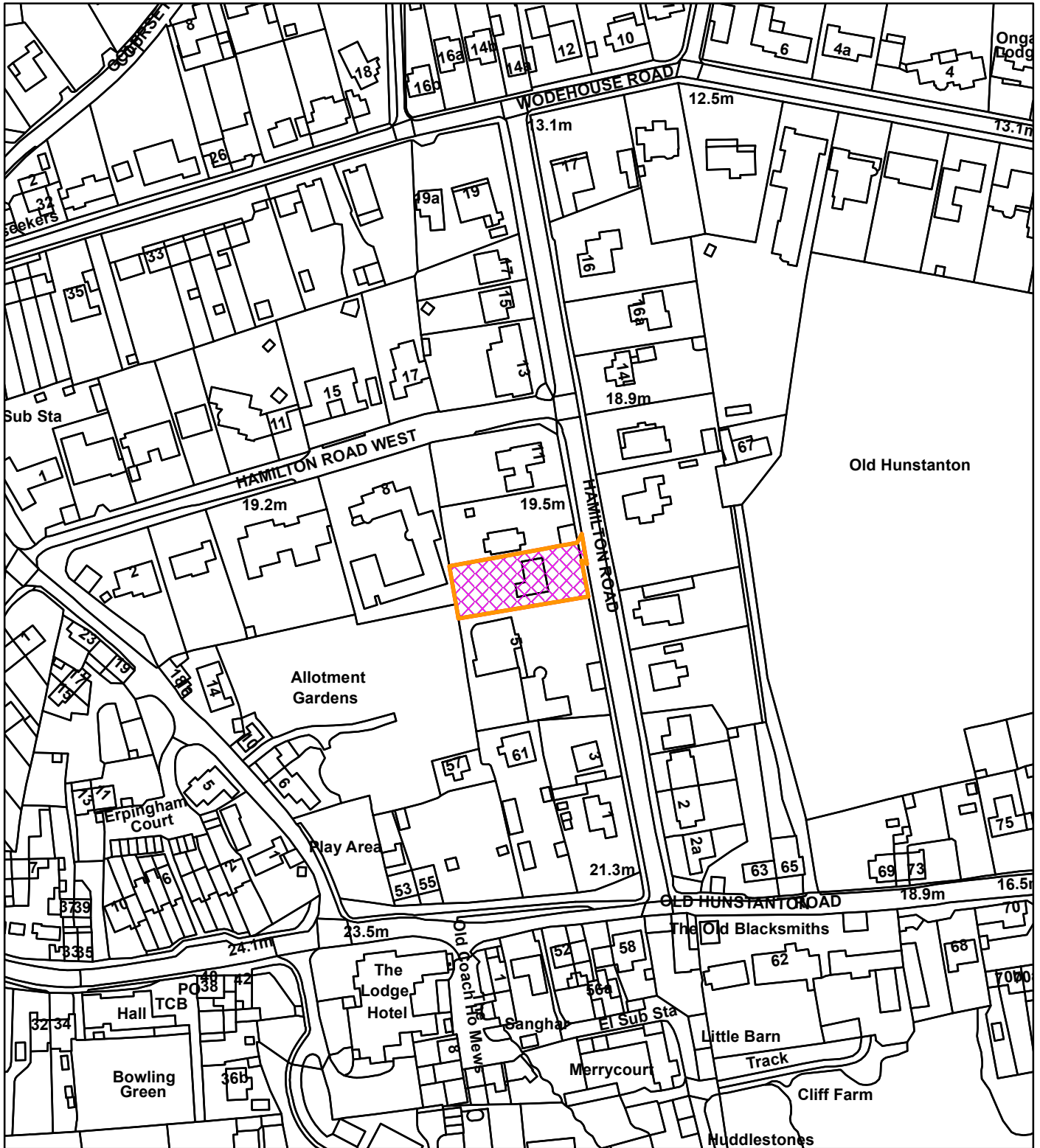
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The parking areas hereby permitted shall be for the use of the holiday let accommodation approved under 12/00197/F and identified by the yellow line on Drawing Number MAR.20.2 1 Rev A. The use of the parking area shall be made available for Units 1, 2, 3 and Games room approved under 12/00197/F at all times.
- 2 Reason: To ensure the permanent availability of the parking/manoeuvring areas for the approved development, 12/00197/F in the interests of satisfactory development and highway safety.
- 3 Condition: Within 3 months of the date of this permission the vehicular access indicated for improvement on Drawing Number: MAR.20.2 1 Rev A shall be upgraded/widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council industrial access construction specification for the first 3 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.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement.

- 4 Condition: Within 3 months of the date of this permission visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.

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

22/00699/F

Lorien, 7 Hamilton Road, Old Hunstanton, PE36 6JA



Scale: 1:2,000

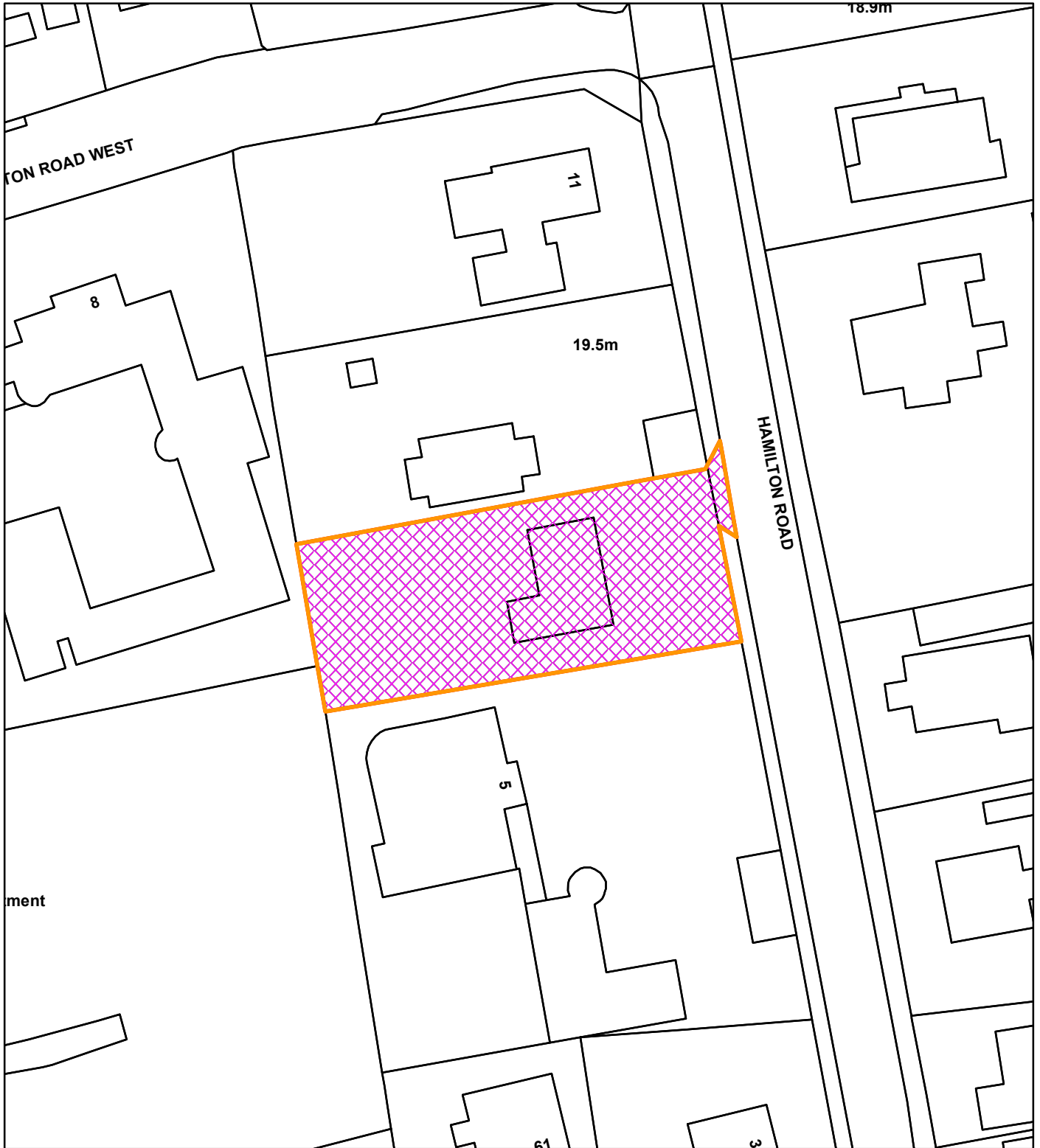
Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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22/00699/F

Lorien, 7 Hamilton Road, Old Hunstanton, PE36 6JA



Scale: 1:625

Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/11/2022
MSA Number	0100024314

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Parish:	Old Hunstanton	
Proposal:	Proposed replacement dwelling, garage and site frontage works	
Location:	Lorien, 7 Hamilton Road, Old Hunstanton, PE36 6JA	
Applicant:	Mr & Mrs Peggs	
Case No:	22/00699/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 13 July 2022 Extension of Time Expiry Date: 12 December 2022

Reason for Referral to Planning Committee – Referred by Sifting Panel

Neighbourhood Plan: Whilst it is noted that Old Hunstanton Neighbourhood Plan is currently at Regulation 16 stage, it is not currently in a position where it can be given weight in decision making.

Case Summary

The application seeks full planning permission for a replacement two-storey dwelling alongside a new detached car port to the front and a replacement wall along the front boundary. The site is located within Old Hunstanton, outside of the Conservation Area and Norfolk Coast Area of Outstanding Natural Beauty.

Key Issues

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Any other material considerations

Recommendation

REFUSE

THE APPLICATION

The application site is situated on the west side of Hamilton Road within Old Hunstanton and currently consists of a traditionally designed detached two-storey dwelling. The site is set within the development boundary for Old Hunstanton and is set a considerable distance from the Old Hunstanton Conservation Area, also outside of the Norfolk Coast Area of Outstanding Natural Beauty.

The application seeks full planning permission for a replacement two-storey dwelling with a new basement, a new detached car port to the front and a replacement wall to the frontage. This application follows approval for large scale additions and alterations to the dwelling under application: 19/00010/F, however the permission was not implemented.

SUPPORTING CASE

An amended Design and Access Statement has been submitted as part of the amended set of drawings.

The external appearance and materials chosen for the proposed dwelling, garage and site frontage upgrades remain in line with the extant planning approval, apart from a change of the proposed roof covering from the aluminium seamed roof to a smooth grey conventional flat tile, which we feel will be more sympathetic to the area and will also allow the solar PV panels to be integrated into the roof slope, rather than sitting above the roof slope.

Similarly, the site layout and position of the proposal on site remains unaltered.

The proposed application seeks to create a high-quality coastal style property that will enhance the street scene. The case officer's report from the previous submission concluded that "The proposed development won't result in significant harm to the form and character of the area or to neighbour amenity."

The building height (both eaves and ridge) remains as approved. A light assessment accompanied the previous application to prove that the proposal would not adversely impact upon neighbour amenity.

As the above images show, the proposed scheme will be the same as the extant approval. A full list of changes between the approved scheme and the proposed scheme is outlined below:

- Full re-build of property instead of extensions/alterations to existing.
- Basement level added.
- Change of proposed roof covering from the aluminium seamed roof to a smooth grey conventional flat tile.

As mentioned previously, the site proposal was approved under ref: 19/00010/F. Some key comments have been extracted from the officer's report, which we feel are key to the decision-making process of this new planning application:

"The amended dwelling will match others in the street scene, the combination of proposed materials will work well together, and the style of the amended design is considered acceptable"

"There is a mix of different architectural styles on Hamilton Road and the wider area, including on Hamilton Road West, and the amended design won't be significantly enough out of character to warrant refusal."

"The proposed carport will sit forward of the dwelling, which is acceptable because the neighbouring dwelling to the south has an ancillary building that sits considerably forward of the dwelling, on the street frontage"

“The wall will be softened by the hedge behind, and the gates set back considerably from the road. There are existing high walls fronting Hamilton Road and the wall, softened by the hedge, will look acceptable in the street scene.”

“Conclusion – The proposed development won’t result in significant harm to the form and character of the area or to neighbour amenity”.

In our opinion; form, character, context and the case officer’s opinion on those specific matters remain constant and cannot change between two applications in the fairness of consistency.

Please also at the rear of this document, an extensive list of local precedents for similar material mixes and forms, as well as garages and walls close to the front boundary.

PLANNING HISTORY

19/00010/F: Application Permitted: 15/05/19 - Proposed 2-storey rear extension to dwelling, plus external alterations to existing dwelling, new detached car port and wall to frontage.

RESPONSE TO CONSULTATION

Parish Council: OBJECT:

The Parish Council having looked at this planning application, in detail are objecting on the grounds that the design and appearance totally inappropriate for this site on Hamilton Road, as it is not in keeping with the surrounding properties in the Road. The addition of a second floor with side windows will overlook neighbouring properties and the overall size and materials to be used are out of character.

To amended scheme:

At the Parish Council meeting on the 17th of November, this reconsultation planning application was discussed and we will be objecting on the same grounds as June 2022 - that the design and appearance totally inappropriate for this site on Hamilton Road, as it is not in keeping with the surrounding properties in the Road. The addition of a second floor with side windows will overlook neighbouring properties and the overall size and materials to be used are out of character.

Highways Authority: NO OBJECTION:

Conditions and informatives are recommended and would be attached to any permission granted. No additional comments were made regarding the amended scheme.

Environment Agency: NO COMMENT.

Environmental Quality: NO OBJECTION:

An informative is recommended and would be attached to any permission granted.

REPRESENTATIONS

THREE public **OBJECTION** comments:

- The design and proposed size of the building is inappropriate for the size of the plot.
- The proposed building is not in character with the other homes in Hamilton Road, Old Hunstanton and the local context. Traditional elements of this area are slowly being eroded.
- The living area on the second floor with balconies and the sunroom on the 3rd floor (at roof height) to the right side of the building may impact on privacy.
- To build the sunroom right up to roof level will have a huge impact visually, it is not in keeping and be very imposing over the allotments opposite and the single storey apartments.
- This is a second home not currently occupied full time by the current owners. There is a genuine concern that the dwelling as proposed could be sold as a holiday let come party house.
- This application would be far in excess of that previously approved.

TWO public **SUPPORT** comments:

- Hamilton Road is already an eclectic mix of properties and this will be an excellent addition to the road, replacing a rather tired property.
- Whilst bold, Old Hunstanton needs to get away from the 1920's designs and modernise.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of Development
- Form and Character
- Impact on Neighbour Amenity
- Any other material considerations

Principle of Development

Policy DM2 of the Site Allocations and Development Management policies Plan 2016 states that “Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.”

The proposed development is within the garden and curtilage of the existing dwelling and within the development boundary of Old Hunstanton, therefore the principle of development is acceptable.

Form and Character

The existing dwelling is detached and of some age, constructed in a traditional form and character with a low eaves pitched roof, front facing gable and in scale dormers either side. The dwelling faces towards Hamilton Road and the site is set considerably away from the Old Hunstanton Conservation Area. Sitting comfortably within the established street scene, the existing dwelling makes a positive contribution to the visual amenity and identity of the area.

The proposal is for a replacement dwelling to the same proportions and design as the additions and alterations to the dwelling approved under 19/00010/F. However, that permission has now lapsed and no material start was made on site.

This application proposes only minor changes to that previous approval:

- Full re-build of property instead of extensions/alterations to existing.
- Basement level added.
- Change of proposed roof covering from the aluminium seamed roof to a smooth grey conventional flat tile.

This submission also originally included an additional second floor projection that was shown to act as a sunroom. However, the second floor was removed altogether due to concerns over overlooking and the visual bulk. This proposal now remains as per the previous approval, with the addition of the basement, method of construction and roof material.

The proposed replacement dwelling would include a split-level roof that faces towards the neighbouring dwellings on either side. The two-storey projection to the rear would be set down in height and set in from the sides of the main part of the dwelling, which would break up the roof and reduce the bulk of the overall dwelling when viewed from the side. The front elevation of the replacement dwelling would be broken up by setbacks across its facade and a mono-pitched roof above the entrance. The proposed materials would be grey brick to the chimney stack and the house plinth, grey UPVC windows, white render to the walls and a grey flat tile roof. The proposed carport would sit beyond the front elevation of the dwelling, which is as previously approved. The carport would be set behind the frontage wall and

Planning Committee
05th December 2022

hedge to the front of the site (slatted fence and gate) and the materials would match the proposed dwelling.

The National Design Guide was introduced in 2019 and is currently dated 2021. This coincided with an amended NPPF with additional weight on high quality design. The National Design Guide is made up of 10 different characteristics, Context, Identity and Build Form are most relevant to this proposal.

Context relates to the location of the development and the attributes of its immediate, local and regional surroundings. Developments should integrate into their surroundings, so they relate well to them, be influenced by and influence their context positively and be responsive to local history, culture and heritage. Identity relates to development having a positive and coherent identity that everyone can identify with, including residents and local communities, so contributing towards health and well-being, inclusion and cohesion. Development should have a character that suits the context, its history, how we live today and how we are likely to live in the future and be visually attractive. Build Form relates to development creating a sense of place, promoting inclusion and cohesion.

Paragraph 130 of the NPPF 2021 states, among other sections not relevant to this development, that planning policies and decisions should ensure that developments are visually attractive as a result of good architecture, layout and appropriate and effective landscaping; are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities); establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit. The updated NPPF and National Design Guide represent a material change in policy since the previous scheme was approved and this new scheme must be assessed under these additional policy requirements.

The scale of the replacement dwelling would be similar to others in the street scene however the visual appearance does not relate to the prevailing context of the locality along Hamilton Road. This consists of traditional forms of dwellings, with some notable Arts and Crafts style dwellings, rare Pepper Pot style dwellings and limited early 20th century concrete additions. Dwellings are set back and whilst mostly attractive, are subtle in design and materials. The street scene is characterised with softer front boundaries including lower walls and vegetation. There limited examples of garages abutting the front boundary and character is mostly consistent along the whole road.

The development would appear out of keeping in terms of its design and appearance and combined with the proposed materials would be unsuitable given the local context and traditional identity along Hamilton Road. The garage to the front of the scheme alongside the harsh boundary treatment (a 1.5m rendered wall with grey metal slatted feature) would have a negative impact on the street scene presenting an oppressive and harsh addition. The existing street scene is mostly characterised by softer treatments such as hedges and low walls creating a green and verdant frontage. It is noted that there is an example of a garage abutting the front boundary within Hamilton Road. Whilst the design is contemporary, it is not considered to be innovative and would adversely affect the street scene, sense of place and distinct character of the area. The Parish Council concurs with this view and objects to the scheme for these reasons.

It is of note that existing dwellings can be extended and altered under permitted development with both single and two storey extensions as well as additional storeys. However, a scheme could not come forward under permitted development that would be of the same form, character and appearance as the proposed development. Permitted

development requirements provide that extensions must be of in keeping materials with the existing dwelling and have an acceptable impact on the visual amenity of the locality. It is therefore considered that there is no comparable fall-back position for the development proposed.

Whilst the previous application at this site was approved, this newly submitted scheme must now be assessed against the new policy and guidance which places greater weight on high quality design in new development. Based on this and the above assessment, it is considered that the proposed development would be visually unacceptable and contrary to Paragraph 130 of the NPPF 2021 and the National Design Guide 2021 as well as Policy CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

Impact on Neighbour Amenity

The rear of the replacement dwelling would be set almost 5 metres away from the neighbouring dwelling to the north (9 Hamilton Road) and the main section of the dwelling would be approximately 4.4 metres. The eaves of the rear projection of the dwelling would be approximately 4.5 metres whilst the main part of the dwelling would be approximately 5 metres. No. 9 has a window on its south-facing side elevation serving an open-plan kitchen diner which is also lit from a window on its north elevation. It is of note that the existing dwelling is also in close proximity to the neighbouring property to the north on its existing footprint, although this does not extend to the rear to the same depth as proposed. Given the eaves height of the extension, the set in of the rear projection and the separation distance to the side elevation of No. 9, the level of overbearing and overshadowing that would result is not considered unacceptable.

The rear first-floor balconies in the proposed rear extension would not project significantly from the rear of the extension and would not allow significant overlooking of any neighbouring dwellings. A condition could be imposed to limit any potential overlooking contrary to the Parish Council's comments.

Any other material considerations

The Local Highway Authority raise no objection based on highways safety or parking as a result of this proposal.

Third Party comments

Form and character and neighbour amenity have been addressed in the above report.

The sunroom on the 2nd floor (and the 2nd floor as a whole) has been removed from the proposed development.

Regarding the dwelling potentially being a second home, there is no policy in the Local Plan resisting this nor any future Neighbourhood Plan policies. Should any noise nuisance be encountered, this could be dealt with under separate legislation.

CONCLUSION

By virtue of the out of keeping form of the dwelling, alongside the inappropriate use of materials, harsh and oppressive front boundary and poor relationship within the street scene the development is considered unacceptable. The development would not relate acceptably to the context, identity or built form of the locality and would in fact have a harmful visual

impact on the street scene and visual cohesiveness of the locality impacting on softer, green and verdant prevailing character. The plot would appear in isolation and would rupture the cohesive visual appearance of Hamilton Road. Updated policy seeks higher quality design outcomes, and this development would not therefore meet this higher threshold of design quality.

Neighbour amenity impacts are considered to be acceptable. There will be no adverse overshadowing, overbearing or overlooking and the dwelling will have an acceptable impact on amenity.

Based on the above, the proposed development would be contrary to Paragraph 130 of the NPPF 2021, the National Design Guide 2021 as well as Policy CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016 and is therefore recommended to be refused.

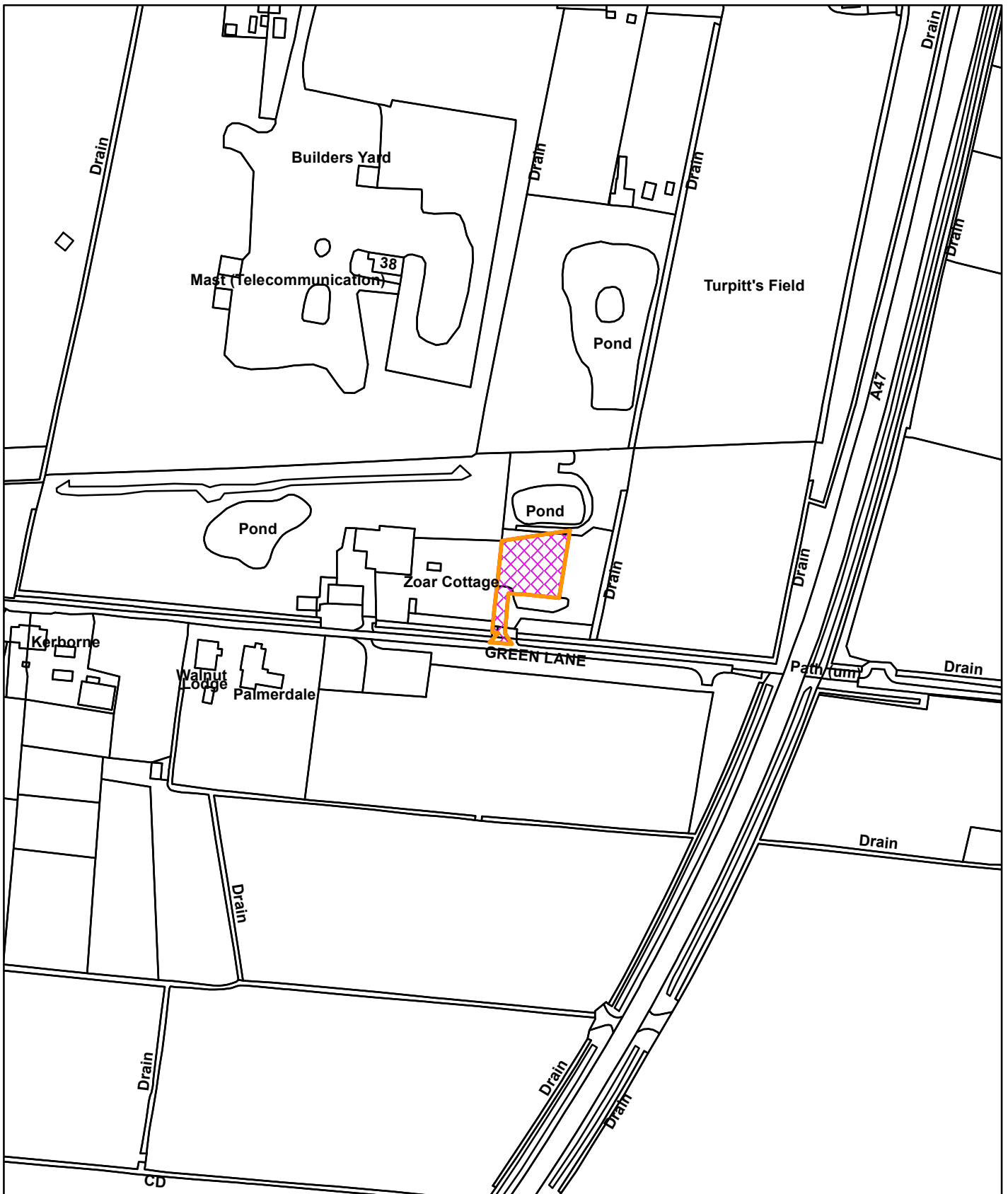
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 The proposed development, by virtue of its design, inappropriate use of materials, harsh and oppressive front boundary and poor relationship within the street scene, would be at odds with the prevailing character of the locality, which is traditional in appearance, has a consistent use of materials and is characterised by its green verdant boundary treatments and low walls, to the detriment of the visual amenities of Hamilton Road and the locality as a whole. The proposal would therefore be contrary to Paragraph 130 of the NPPF 2021, the National Design Guide 2021 as well as Policy CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016.

21/02311/F

Land and Ponds S of 52 Broadend Road, Green Lane, Walsoken, PE14 7BJ



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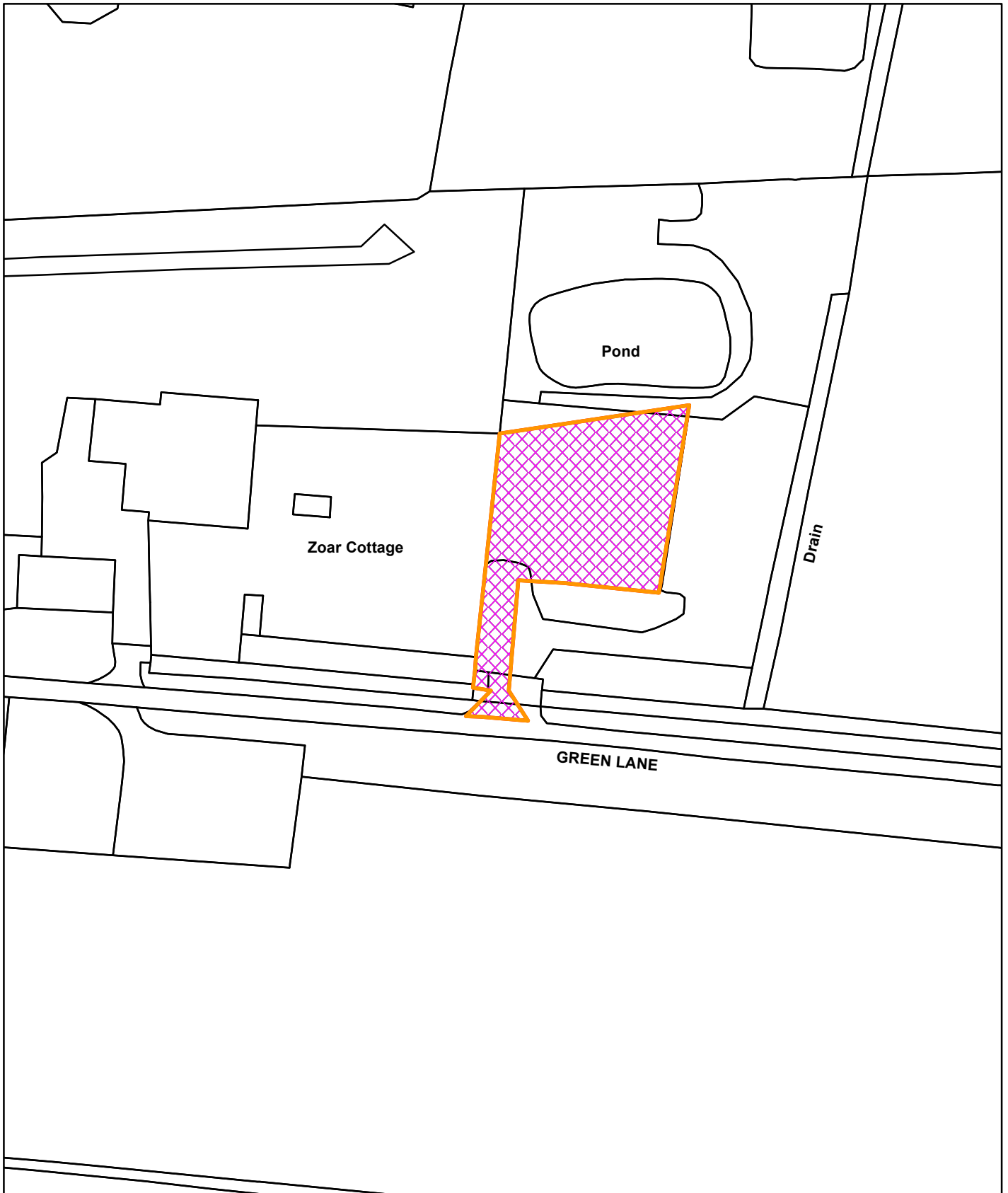
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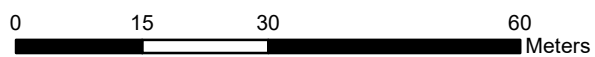


21/02311/F

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23/11/2022

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Parish:	Walsoken	
Proposal:	Change of use of the land to allow for the siting of a log cabin (to fall within the definition of a caravan) associated with existing fishing lake).	
Location:	Land And Ponds S of 52 Broadend Road E of Zoar Cottage and W of Turpitts Field, Green Lane, Walsoken, Norfolk, PE14 7BJ	
Applicant:	Mr Peppercorn	
Case No:	21/02311/F (Full Application)	
Case Officer:	Lucy Smith	Date for Determination: 7 February 2022

Reason for Referral to Planning Committee – Previous Appeal Dismissed and Referred by Sifting Panel.

Neighbourhood Plan: No

Case Summary

Temporary planning permission is sought for the siting of a log cabin (to fall within the definition of a caravan) for residential use in connection with a fishery/fishing lake business in Green Lane, Walsoken.

The site comprises a red line area of 0.1ha of a larger 1.1ha fishing lake site. Two lakes are on site, including one larger fishing lake and a smaller breeding lake/pond. The site is operating as a fishing lake as approved under 16/01842/F.

The site has been the subject of a previously dismissed appeal, for the siting of three holiday homes.

Key Issues

- Planning History
- Principle of Development
- Highway Safety
- Form and Character
- Any other material considerations

Recommendation

APPROVE

THE APPLICATION

Temporary planning permission is sought for the siting of a log cabin (to fall within the definition of a caravan) for residential use in connection with a fishery/fishing lake business in Green Lane, Walsoken.

The site comprises a red line area of 0.1ha of a larger 1.1ha fishing lake site. to the north of Green Lane Two lakes are on site, including one larger fishing lake and a smaller breeding lake/pond. The site is operating as a fishing lake as approved under 16/01842/F.

The caravan has a modern design with asymmetric pitched roof, timber cladding and a green roof. The proposed caravan comprises a twin unit, measuring below the limits required by the Caravan Sites Act, with a width of 6.8m, total length of 12.5m and internal height of 3m (measured internally floor to ceiling). The Agent has confirmed within their design and access statement that the dwelling will meet the definition of a caravan and therefore, the dwelling will be capable of being removed from the site at the end of the temporary period.

SUPPORTING CASE

The proposal is for the stationing of a log cabin to allow for a site manager to live on site to support the existing fishing and fish breeding business.

The accommodation will allow for 24/7 care of the site to ensure that the quality of the water is maintained in the health interests of the fish. Without constant supervision and monitoring there is a real risk that the fish will perish. Constant supervision of the site will also provide for general health and safety for existing customers and will ensure that no fishing takes place in the breeding lakes, where there is a real health and safety issue given the overhead electric cables in this part of the site.

The site is within a rural location and the proposal is for accommodation for a worker where Policy DM6 of the SADMPP applies. Given the policy requirements, a temporary 3 year consent is sought at this stage.

For temporary occupational dwellings, Policy DM6 requires that there is an established functional need for occupants to be adjacent to the enterprise day and night and that the need cannot be met by existing dwellings nearby. It also requires that there is evidence of a firm intention and ability to develop the enterprise concerned and that the application is supported by evidence that the enterprise has been planned on sound financial basis.

The proposal seeks planning permission for the siting of a cabin which falls within the definition of a caravan. Permission is sought for a temporary 3 year consent. A statement from the applicant, which accompanies this application, confirms that 24/7 presence on site from a worker is required for security purposes as the site has already suffered from incidents of theft of equipment and of fish which seriously threatens viability of the business. Due to the scale of the site, it is not practical or financially viable to provide CCTV coverage of all of the land to act as a deterrent for crime and therefore round the clock on site presence is the most effective form of security.

In addition, a permanent presence on site will allow for continual monitoring of the breeding lake to ensure that the conditions are suitable for the fish. Water quality conditions can change quickly which can have a significant impact on the health of the fish. By being on site permanently, a worker can ensure that if any issues with the water quality arise, they can be resolved quickly and therefore the health of the fish preserved as well as the vitality and viability of the enterprise.

It is also worth highlighting that the site often accommodates night fishing, as is set out in the 'Syndicate Lake Rules' dated 13 February 2017 which was submitted to and formed a condition of planning permission 16/01842/F. Noting that the site rules specify that night fishing is between 7pm and 7am it is only reasonable to expect a site manager to be on site during these times for health and safety and general operational purposes. The use of a residential caravan on site for a worker would provide for a worker's presence overnight which would allow for this part of the business to operate effectively and safely.

There are no dwellings for sale within the vicinity of the site and therefore no other properties available nearby which could accommodate a worker to meet the needs of the business. In any case, it is imperative that a worker resides on the site itself for security purposes and to be able to monitor the water and health and safety aspects. Any other properties along Green Lane would be too far away from the site to deter crime and to be able to respond to health and safety or animal welfare aspects quickly.

The development of the site including the formation of the access, car park and landscaping features and confirmation of investment from the applicant demonstrates the applicant's intention and ability to develop the business. It also demonstrates that the business is based on sound financial planning as the applicant would not have invested in the business if it was apparent that it would fail.

There are no objections from statutory consultees including the Environment Agency, the King's Lynn Internal Drainage Board, and NCC Highways.

It is submitted that the above demonstrates that the proposal complies with Policy DM6 of the SADMP and that the development can be supported.

PLANNING HISTORY

18/01037/FM: Application Refused: 12/11/18 - Proposed change of use to site 3 static holiday homes (to fit within the definition of a caravan) to support existing fishing lake - Land and Ponds S of 52 Broadend Road E of Zoar Cottage and W of Turpitts Field - DELEGATED DECISION - Appeal Dismissed 01/08/19

16/01842/NMA_1: Application Permitted: 06/09/18 - NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 16/01842/F: Proposed extension of lake, associated earthworks and new parking area, and use of both existing and proposed lakes for commercial fishing/angling - Land and Ponds S of 52 Broadend Road E of Zoar Cottage and W of Turpitts Field - DELEGATED DECISION

16/01842/F: Application Permitted: 27/02/17 - 27/02/17 - Proposed extension of lake, associated earthworks and new parking area, and use of both existing and proposed lakes for commercial fishing/angling - Land and Ponds S of 52 Broadend Road E of Zoar Cottage and W of Turpitts Field - DELEGATED DECISION

RESPONSE TO CONSULTATION

Parish Council: defers to Borough Council with the following observations:

'It is difficult to see how this falls within the definition of a caravan and that with modern technology there is little need for on-site security. There is a concern that this may be an attempt to get a house outside the development area.'

Highways Authority: NO OBJECTION with the following comments:

'I am very aware of the appeal decision for planning reference 18/01037/FM which supports a highway concern that has not changed.

However, should your authority feel that there is justification for a manager to be on post 24/7 as indicated in the design and access statement then we would be of the view that the trips otherwise undertaken to and from the site are then likely to balance.

Therefore, subject to the above and provided that the cabin is conditioned to be restricted in its use to only being occupied in direct association with the operation of the business then, on such a basis, we would not seek to restrict the grant of permission.'

Internal Drainage Board: NO OBJECTION provided comments relating to infiltration testing and the Board's Byelaws.

Environmental Quality: NO OBJECTION provided comments on previous land use as agriculture and requested Unexpected Contamination condition.

Environment Agency: NO OBJECTION with the following comments (summarised):

'The Kings Lynn and West Norfolk SFRA places the site as being located within flood zone 1. The SFRA is based upon more up to date flood risk information than the current flood map for planning. We therefore have no objections to the proposed development as defined within the Flood Risk Assessment.'

REPRESENTATIONS

FIVE letters of **OBJECTION**, the comments summarised as follows:

- Reference to previous appeal
- Highway Safety, lane not sufficient to cater for traffic
- Residential Amenity
- Noise from traffic along Green Lane
- Concern over lack of turning provision along Green Lane
- Concern over viability of business
- Danger to wildlife associated with use of lane
- Noting that no employee/site manager could truly be on site full time and they would need an alternative onsite presence/staff member when they are off site
- General need for on-site presence

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM6 - Housing Needs of Rural Workers

DM15 – Environment, Design and Amenity

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The main considerations are:

- Planning History
- Principle of Development
- Highway Safety
- Form and Character
- Other material considerations

Planning History

Planning permission for the change of use of the land to allow for 3 caravans for use as holiday homes was refused in November 2018 for two reasons which included (1) that the local highway network was not of sufficient quality to allow for safe access to and from the site and (2) that the increase in use of the site and subsequent vehicular movements would harm the amenities of residential properties along Green Lane.

The decision was subsequently appealed (appeal decision attached) and was upheld by the Inspector, who considered that the 3 caravans could be used for holiday purposes and would likely attract an increased number of vehicular movements which would give rise to highway safety concerns due to visibility issues and lack of opportunity for vehicles to pass.

The Inspector did not consider that any harm would be caused to neighbouring residential amenities by reasons of noise.

The current proposal is materially different from the appeal scheme which was dismissed as it constitutes a single dwelling which will be permanently occupied in connection with the business rather than three units which will form holiday accommodation as was previously proposed, however for the purposes of the Scheme of Delegation, as a residential use is proposed on site, the Inspector's reasons for refusal must be addressed.

Principle of Development

Planning permission is sought for the siting of a log cabin (to fall within the definition of a caravan) for residential use in connection with a fishery/fishing lake business in Green Lane, Walsoken.

In relation to the creation of a new dwelling on site, Policy DM6 applies in this instance as the proposed dwelling is approximately 1km east of the development boundary for Walsoken (Wisbech Fringe) outlined on inset map F3 of the SADMPP (2016) and is therefore located within the wider countryside where countryside protection policies apply.

Temporary consent is sought for a three-year period for the siting of a log cabin style caravan to be occupied by a worker in association with the fishing lakes – known as The Laurels Fishery, accessed via Green Lane.

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

New Occupational Dwellings

1) Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.

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

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

a) there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,

b) The need could not be met by existing dwellings within the locality,

c) The application meets the requirements of a financial test demonstrating that:

d) the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and;

i. are currently financially sound, and have a clear prospect of remaining so and;

ii. the rural based enterprise can sustain the size of the proposed dwelling;

iii. acceptable in all other respects

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

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

a. The proposal satisfies criteria 3a and 3b above

b. The application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);

c. The application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.'

Need for a New Dwelling:

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

The site is located at the end of Green Lane which is characterised by sporadic development of a mix of uses, including residential development as well as an existing Cattery to the west. No vehicular access is available to the A47 to the south, which results in all traffic accessing the site via Green Lane, which is of restricted width with limited passing provision.

The fishing lake operates throughout the day, with night fishing available between 7am and 7pm. A statement from the applicant, which accompanies this application, confirms that 24/7 presence on site for a worker is required for security purposes as the site has already suffered from incidents of theft of equipment and of fish which seriously threatens viability of the business. Due to the scale of the site, the applicant/agent consider that it is not practical or financially viable to provide CCTV coverage of all of the land to act as a deterrent for crime and therefore round the clock on site presence is the most effective form of security. The presence of a CCTV system would not prevent potential health and safety issues with people potentially falling into the lake or suffering from existing medical conditions with no persons nearby to assist.

The on-site presence would also allow more continuous monitoring of the breeding lake to ensure the health of the stock and will allow quicker resolution of issues and preserve the vitality and viability of this part of the business. The breeding lake is crucial in ensuring the long-term sustainability of a fishing lake by providing consistent good quality stock to replace the existing older fish once they die. Fish are purchased young and are nurtured to increase their size and value. A loss of stock in the breeding lake could lead to financial difficulties for the business. The client has emphasized that the financial value of the lake is within the fish stock and not the people who pay to fish the lake

The LPA therefore consider that this criterion has been sufficiently met to evidence the need for a temporary dwelling.

Financial Information and Business Vitality

DM6 states that applications must be supported by evidence demonstrating a clear intention to develop the enterprise and evidence that such enterprise has been planned on a sound financial basis.

The Applicant purchased the lake in August 2021 and no financial accounts have been completed as of the date of this report. The business plan provided undertakes a feasibility study and describes the financial potential of the fishery business – which is proposed to expand and operate as both a fish hatchery/breeding pond and a fishing lake.

The business plan provided includes market analysis, SWOT analysis and sales/marketing strategies as well as providing a three-year estimated income statement which is split into various expenses and profits.

The agent has stated that the applicant has the following stock within the lake: at least 200+ fish between 3lb to 6lb with an approximate value of £7,200. 150+ fish between 7lb to 9lb with an approximate value of £12,000. 50+ fish between 10lb to 12lb with a value of approximately £7,150. 25+ fish between 12lb to 15lb with an approximate value £5,600. This is not including the smaller fish below 3lb.

The fishing lakes were extended under an application granted in 2017. It is evident that these works have been implemented, with parking area surfaced and fencing and planting on site. This is evidence of financial investment into the business on site and an intent to continue to grow the business.

The LPA therefore consider that sufficient information has been provided to evidence an intention to development the enterprise concerned and that the business has been planned on a sound financial basis.

Existing Dwellings in the Locality:

There are no houses in the immediate vicinity currently advertised for sale. The LPA therefore consider that this criterion has been met.

Overall, the LPA consider that sufficient evidence has been provided to justify the provision of a temporary dwelling to be occupied by a site manager in association with the fishery. The principle of development is therefore considered acceptable in accordance with Policy DM6 of the SADMPP (2016).

Highway Safety

Green Lane is an unclassified public highway which joins Broadend Road to the north west of the site.

The highway impacts of the proposal must be assessed against the existing impact of the business use whilst taking into consideration the dismissed appeal on site. Considering that any site manager based elsewhere would be required to access the site frequently for the day to day operations of the business, there is an existing level of traffic to/from the site which is unlikely to significant impact as a result of the manager having an onsite presence.

The Local Highway Authority supports this viewpoint, stating that any vehicle movements to/from the site are likely to balance if the dwelling is occupied by a manager.

Conditions are recommended to ensure that the use is restricted to only being occupied with direct association with the operation of the business.

The application is therefore considered to comply with Section 9 of the NPPF (2021) and Policies CS08, CS11 and DM15 of the Local Plan.

Form and Character

The site is shielded from view from the A47 by existing orchard land. As a result of the existing sporadic development along Green Lane, the proposed siting of a temporary caravan for this temporary period is considered unlikely to lead to adverse impacts on the visual amenities of the countryside.

Previously approved hard standing/parking areas have been implemented on site which has resulted in an existing urbanising impact. The provision of a caravan, clad in natural timber, alongside limited patio/hard standing area for a limited period is not considered to lead to adverse impacts on the amenities of the countryside.

The proposal therefore complies with the NPPF (2021), Policies CS06, CS08 and DM15 of the Development Plan.

Other material considerations

Neighbour Amenity

The Appeal Inspector found no adverse impact on the living conditions of the neighbouring occupiers as part of the appeal for three holiday lets. This proposal, with fewer dwellings proposed and additional spacing provided between the log cabin and the site boundaries, is

considered unlikely to lead to any adverse impact on the amenity of dwellings to the west, in compliance with Policy DM15.

Flood Risk

The site is classified as being within Flood Zone 1 in the Borough Council's SFRA (2018) which presents the most up to date flood risk information available. The site therefore has a low probability of flooding and the siting of a caravan on the land for a temporary period is considered acceptable. The Environment Agency raise no objection on this basis. The proposal therefore complies with the NPPF (2021) and the PPG flood guidance.

Drainage

The IDB provided comments which referred to the need for infiltration and the fact that the Board's Byelaws need to be complied with. Given that a temporary dwelling is proposed, it is not considered necessary to condition significant drainage works in association with the proposed caravan. An informative is recommended to ensure that the Applicant is aware of the separate requirement for byelaw consent.

Crime and Disorder

The Agent has put forward reductions in fly tipping and other crime as part of the justification for the proposed dwelling (discussed above). The siting of a dwelling on site and the associated on-site presence has the potential to reduce crime and disorder on and around the site.

Response to Representations

Comments raised by neighbours relating to highway safety and business viability/the need for an onsite presence are addressed above. Comments regarding residential amenity/noise associated with the use of Green Lane are noted however the Inspector did not consider that the increase in traffic along the lane associated with 3 dwellings would lead to adverse impacts. This application proposes a significant reduction to one dwelling in association with the management of the fishing business only and it is not considered likely to lead to any adverse impacts on amenity of surrounding occupants.

Comments relating to impact on wildlife using green lane are noted, however given the balance of traffic discussed above, the proposal is not considered likely to lead to adverse impacts in relation to noise and protected species. There is therefore no conflict with Policy CS12 of the Core Strategy (2011).

CONCLUSION

The application has been supported by sufficient information to demonstrate the financial viability of the rural enterprise and therefore justify the temporary provision of a dwelling on site to be occupied by a site manager in line with Policy DM6 of the SADMP.

The provision of the dwelling to be occupied in association with the operation of the business only is considered to overcome the highway safety concerns which previously formed a reason for refusal of the application for three market dwellings on site. The application therefore complies with the NPPF (2021) and Policies CS08, CS11 and DM15 in relation to highway safety.

The siting of a caravan in this position is not considered likely to lead to significant impacts on the form and character of the area, and the balance of traffic/vehicle movements is such that no adverse impact is considered likely in relation to noise/disturbance. The proposal therefore complied with the NPPF (2021) and Policies CS08, CS11 and DM15 in relation to amenity.

Temporary permission can therefore be granted subject to the below conditions.

RECOMMENDATION:

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

- 1 Condition: This permission shall expire on 9th December 2025, and unless on or before that date application is made for an extension of the period of permission and such application is approved:
 - (a) the approved caravan shall be removed from the application site,
 - (b) the temporary residential use of the land shall be discontinued, and
 - (c) there shall be carried out any work necessary to reinstate the application site to its condition prior to the implementation of this temporary permission.

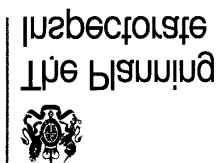
- 1 Reason: In order that the Local Planning Authority may retain control over the development where a permanent permission may give rise to conditions detrimental to the amenities of the locality contrary to the NPPF.

- 2 Condition: The occupancy of the mobile home shall be limited to persons solely or mainly employed in connection with the commercial fishing lake business shown outlined in blue on dwg No. SE-1736 PP100 or a widow or widower of such a person and to any resident dependents.

- 2 Reason: The site lies in an area where the Local Planning Authority would not normally grant permission for new dwellings. This permission is granted in recognition of the special need for the dwelling in connection with a rural enterprise and in the interests of highway safety in accordance with the NPPF (2021).

- 3 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.

- 3 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.



Temple Quay House
2 The Square
Bristol
BS1 6PN

Direct Line:
Customer Services:
0303 444 5000

Email:
ctteam@planninginspectorate.gov
uk

www.gov.uk/planning-inspectorate

Ruth Redding
King's Lynn and West Norfolk Borough
Council
Kings Court
Chapel Street
King's Lynn
Norfolk
PE30 1EX

Your Ref: 18/01037/FM
Our Ref: APP/V2635/W/19/3225112

01 August 2019

Dear Ruth Redding,

Town and Country Planning Act 1990
Appeal by Mr J Neave
Site Address: Land and Ponds at Green Lane, Walsoken, PE14 7BJ

I enclose a copy of our Inspector's decision on the above appeal(s).

If you have queries or feedback about the decision or the way we handled the appeal(s), you should submit them using our "Feedback" webpage at <https://www.gov.uk/government/organisations/planning-inspectorate/about/complaints-procedure>.

If you do not have internet access please write to the Customer Quality Unit at the address above.

If you would prefer hard copies of our information on the right to challenge and our feedback procedure, please contact our Customer Service Team on 0303 444 5000.

Please note the Planning Inspectorate is not the administering body for High Court challenges. If you would like more information on the strictly enforced deadlines for challenging, or a copy of the forms for lodging a challenge, please contact the Administrative Court on 020 7947 6655.

The Planning Inspectorate cannot change or revoke the outcome in the attached decision. If you want to alter the outcome you should consider obtaining legal advice as only the High Court can quash this decision.

We are continually seeking ways to improve the quality of service we provide to our customers. As part of this commitment we are seeking feedback from those who use our service. It would be appreciated if you could take some time to complete this short survey, which should take no more than a few minutes complete:

https://www.surveymonkey.co.uk/r/Planning_inspectorate_customer_survey

Thank you in advance for taking the time to provide us with valuable feedback.

Yours sincerely,

Larissa Perry

Larissa Perry

Where applicable, you can use the internet to submit documents, to see information and to check the progress of cases through GOV.UK. The address of the search page is - <https://www.gov.uk/appeal-planning-inspectorate>



The Planning Inspectorate

Appeal Decision

Site visit made on 11 June 2019

by **C Beeby BA (Hons)**

an Inspector appointed by the Secretary of State

Decision date: 01 August 2019

Appeal Ref: APP/V2635/W/19/3225112

Land Adjacent Walsoken Aquatics, Green Lane, Walsoken PE14 7BJ

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by Mr J Neave against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 18/01037/FM, dated 5 June 2018, was refused by notice dated 12 November 2018.
 - The development proposed is a change of use to site 3 static holiday homes (to fit within the definition of a caravan) to support an existing fishing lake.
-

Decision

1. The appeal is dismissed.

Preliminary Matter

2. The description of development in the heading above has been taken from the appeal form, and differs from that on the planning application. The proposal was amended by the removal of 5 proposed touring pitches from the scheme before the local planning authority determined the application. Accordingly, I have used the description given on the appeal form.

Main Issues

3. The main issues are:
 - The effect of the proposal on highway safety; and
 - The effect of the proposal on the living conditions of the occupiers of dwellings along Green Lane with regard to noise.

Reasons

Highway Safety

4. The appeal site lies off Green Lane, which is a rural lane with a width which is mainly suitable for a single vehicle. Opportunities for vehicles to pass are generally restricted to the use of property accesses or verges. Where two vehicles meet, it is therefore likely that the restricted width would necessitate a reversing manoeuvre on the part of one motorist, which would carry increased risks to both motorists and other users of the highway. Whilst the lane carries a national speed restriction, traffic is likely to travel at slower speeds than 60 miles per hour due to the lane's limited width, residential nature and the presence of sharp bends, which restrict visibility.

<https://www.gov.uk/planning-inspectorate>

5. This is supported by surveys carried out by the highway authority, which found that traffic in the vicinity of the two main areas of bends on the lane was travelling at 20 miles per hour. The minimum acceptable stopping sight distance ("SSD") which is necessary in order for motorists to stop safely on such streets at this speed is 25 metres¹. Measurements by the highway authority indicate that the minimum SSDs at these bends are 10 metres and 13 metres. These results are not disputed by the appellant, and represent a significant shortfall in acceptable visibility at the points concerned.
6. Visibility is additionally restricted at the junction of Green Lane with Broadend Road, with the SSDs available comprising 33%-66% of those recommended due to the presence of a sharp bend and roadside vegetation. Furthermore, motorists travelling towards the A47 on Broadend Road have only approximately 33-46% (depending on the level of roadside vegetation) of the recommended SSD available due to the presence of the bend. The ability of motorists to react on time to the presence of stationary vehicles waiting on Broadend Road to turn right into Green Lane is therefore likely to be significantly reduced. Thus, the highways which would be used to access the site present a number of safety concerns.
7. The fishing lake supports use by 10-20 anglers at any one time. As access to the site forms the purpose of their trip, vehicle movements associated with angling use of the site are likely to be restricted to the journey to and from the site, and potential extra trips for meals or supplies.
8. There is no restriction on the length of time for which the proposed static caravans could be let. Thus, they could be used for longer holidays, which would be more likely to involve other family members, as a result of the 2 or 3 bedroom size of the caravans, their self-catering facilities and the 2 parking spaces allocated to each unit. The family size of the proposed units presents a likelihood that family members would travel elsewhere for day trips by private car even if one person remained at the site to fish, in view of the lack of facilities and attractions in the immediate area. Trips to eat out, shop or food deliveries would also be necessary given the potential for extended stays.
9. Whilst I acknowledge that there is no restriction on the current number of visitors to the site, the proposal would result in the intensification of the use of part of the site from a destination for short trips of a few hours' duration for the purpose of a site-based activity to a base from which holidays could be taken, by up to approximately 14 people at any one time. As a result of the above factors, the proposal is likely to increase the number of vehicular movements associated with the site. TRICs analysis on behalf of the appellant indicates that the proposal would give rise to 7 trips per day across the 3 units, whilst the highway authority considers that up to 12 trips per day would be generated. The TRICs analysis is based on data from caravan park or holiday village sites of 50-260 units. The upper end of the range is a scale of site which could be expected to offer some basic facilities with regard to food shopping and other services, and consequently which may result in less associated trips than the appeal proposal. Furthermore, the sample sites may have accessible services, facilities and attractions within their immediate area, which would further reduce necessary vehicular trips. I therefore consider that

¹ Manual for Streets (Department for Transport)

the proposal is likely to generate more than 7 trips per day, on routes which give rise to the safety concerns outlined above.

10. I acknowledge that an appeal decision² of 9 December 2013 which refused permission for 3 dwellings at an adjacent site did not consider the issue of highway safety. However, the purpose of the decision was not to endorse the existing A1 (shops) use of the site concerned, but to consider the effect of the alternative development proposed. The site was in use as a shop for some years before closing more recently, and any permission for that use would have been granted under different policy considerations. Furthermore, the proposal would have represented a significant reduction in vehicular movements associated with the site and the highway authority confirms that it consequently had no objection on highway safety grounds. In view of the differing policy background to the adjacent and current proposals and the acceptability of the adjacent proposal on highway safety grounds, I do not consider that any inconsistency in their determination has been shown.
11. Whilst I acknowledge that an extant A1 use permission at the adjacent site would allow for a significant number of associated vehicular movements, the site is not currently in use as a shop and the former business has been closed for several years, with no indication of any intention to reopen. Therefore it does not currently provide a comparable example to that which is proposed. Furthermore, even if the business were open it would not provide an example which should be followed even if harm were to result, particularly given the differing policy circumstances in which any permission would have been granted. Moreover, the original grant of permission for the fishing lake complex and the presence of existing businesses along Green Lane does not justify the addition of further traffic to routes which give rise to the safety concerns outlined above.
12. The appellant states that there have been no recorded accidents in the vicinity of Green Lane, or its junctions, for 5 years. Nevertheless, this data cannot provide confirmation of the appeal scheme's future effect on highway safety if allowed, which is the issue I must consider here.
13. The proposal would have an unacceptably harmful effect on highway safety and would consequently conflict with Policy CS11 of the adopted Local Development Framework Core Strategy (2011), which sets out that new development should provide for safe access for all modes of transport. Further conflict exists with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016) ("the SADMP"), which states that proposals for new holiday accommodation will not normally be permitted unless the site can be safely accessed. Additional conflict exists with the National Planning Policy Framework ("the Framework"), which sets out that the development of sites to meet business needs in rural areas should not have an unacceptable impact on local roads.

Living conditions

14. Several dwellings along Green Lane are well set back from the highway. The lane has a generous level of roadside hedgerow and trees. Occupiers are likely to be accustomed to a limited level of traffic noise from the relatively low

² APP/V2635/A/13/2199083

numbers of vehicles which use the lane, which is a dead end to vehicular traffic.

15. Any harmful effect on the living conditions of local residents due to noise generated by additional vehicular trips along Green Lane as a result of the proposal is likely to be limited by several factors. These are the reasonably slow speed which it is necessary for vehicles to travel due to conditions along the lane, the relatively low number of trips concerned, the reasonable set back of several properties from the road and the good level of roadside landscaping, which is likely to soften any traffic noise. I therefore conclude that the proposal would have an acceptable effect on the living conditions of occupiers along Green Lane with regard to traffic noise.
16. The caravans would be separated from dwellings along Green Lane by a significant distance, which would reduce the potential for unacceptable levels of noise disturbance to arise from the development itself. Noise generated by vehicles using the site's carparks would not exceed that already experienced by any significant amount due to the small size of the proposal. Furthermore, I accept the appellant's point regarding the potential for noise to startle fish, reducing the prospect of a catch, and thus it would be in the interests of anglers occupying the caravans to keep noise levels low. Boundary fencing and vegetation, which could be reinforced by condition, are also likely to provide a level of softening of any noise, and the numbers of people likely to be staying at the development at any one time is relatively low. In view of these factors, I conclude that the proposal would have an acceptable effect on the living conditions of occupiers along Green Lane with regard to noise from the caravans and from use of the carpark.
17. The proposal would have an acceptable effect on the living conditions of the occupiers of dwellings along Green Lane with regard to noise. As a result, it would comply with Policy DM15 of the SADMP, which sets out that development proposals will be assessed against a number of factors with regard to their effect on neighbouring uses, including noise.

Other Matters

18. I have had regard to other matters raised including concerns about drainage, the proposal's effect on privacy and its potential to set a precedent. However, as I am dismissing the appeal on a main issue for the reasons given above, I have not pursued these matters further.

Conclusion

19. The appellant submits that the appeal site constitutes previously developed land and that it supports the rural economy, and that the Framework supports these aspects of the proposal. I consider that these would form limited benefits only, in view of the small scale of the proposal. Whilst the scheme would have an acceptable effect on the living conditions of the occupiers of nearby dwellings, this is a neutral effect. However, the intensification of use of a highway route which raises significant safety concerns would cause unacceptable harm, which weighs significantly against the proposal. Thus, I conclude that the appeal should be dismissed.

C Beeby - INSPECTOR

Ruth Redding

From: Borough Planning
Sent: 02 August 2019 07:40
To: Ruth Redding
Subject: FW: Planning Inspectorate APP/V2635/W/19/3225112: Land and Ponds at Green Lane, PE14 7BJ
Attachments: Despatch Cover Letter - Ruth Redding - 01 Aug 2019.pdf; APPEAL DECISION 3225112.pdf

Environment and Planning
Borough Council of King's Lynn and West Norfolk

T: 01553 616234
E: borough.planning@west-norfolk.gov.uk
W: www.west-norfolk.gov.uk

Submit a planning application on-line: <http://www.planningportal.gov.uk>

borough.planning@west-norfolk.gov.uk or telephone 01553 616234.

From: noreply (outbound only) [<mailto:noreply@planninginspectorate.gov.uk>]
Sent: 01 August 2019 15:41
To: Borough Planning
Subject: Planning Inspectorate APP/V2635/W/19/3225112: Land and Ponds at Green Lane, PE14 7BJ

The Planning Inspectorate (England)
Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN

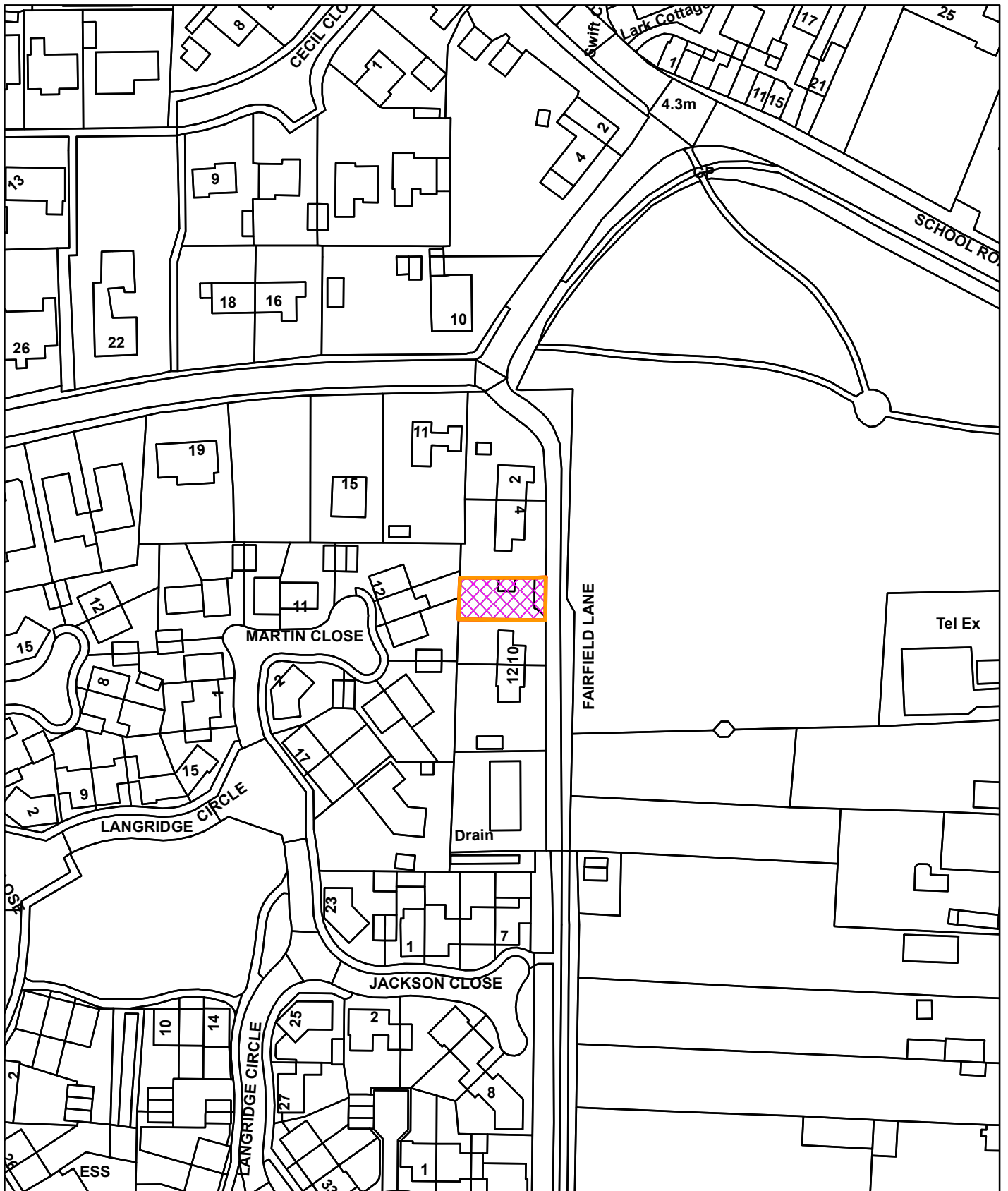
The Planning Inspectorate (Wales)
Crown Buildings, Cathays Park, Cardiff, CF10 3NQ

<http://www.planningportal.gov.uk/planninginspectorate>
Twitter: [@PINSgov](https://twitter.com/PINSgov)

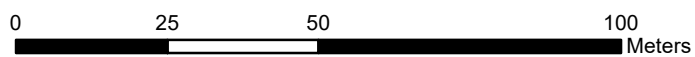
This communication does not constitute legal advice.
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22/01577/RM

10 Fairfield Lane, Watlington, PE33 0JE



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Ordnance Survey 100024314



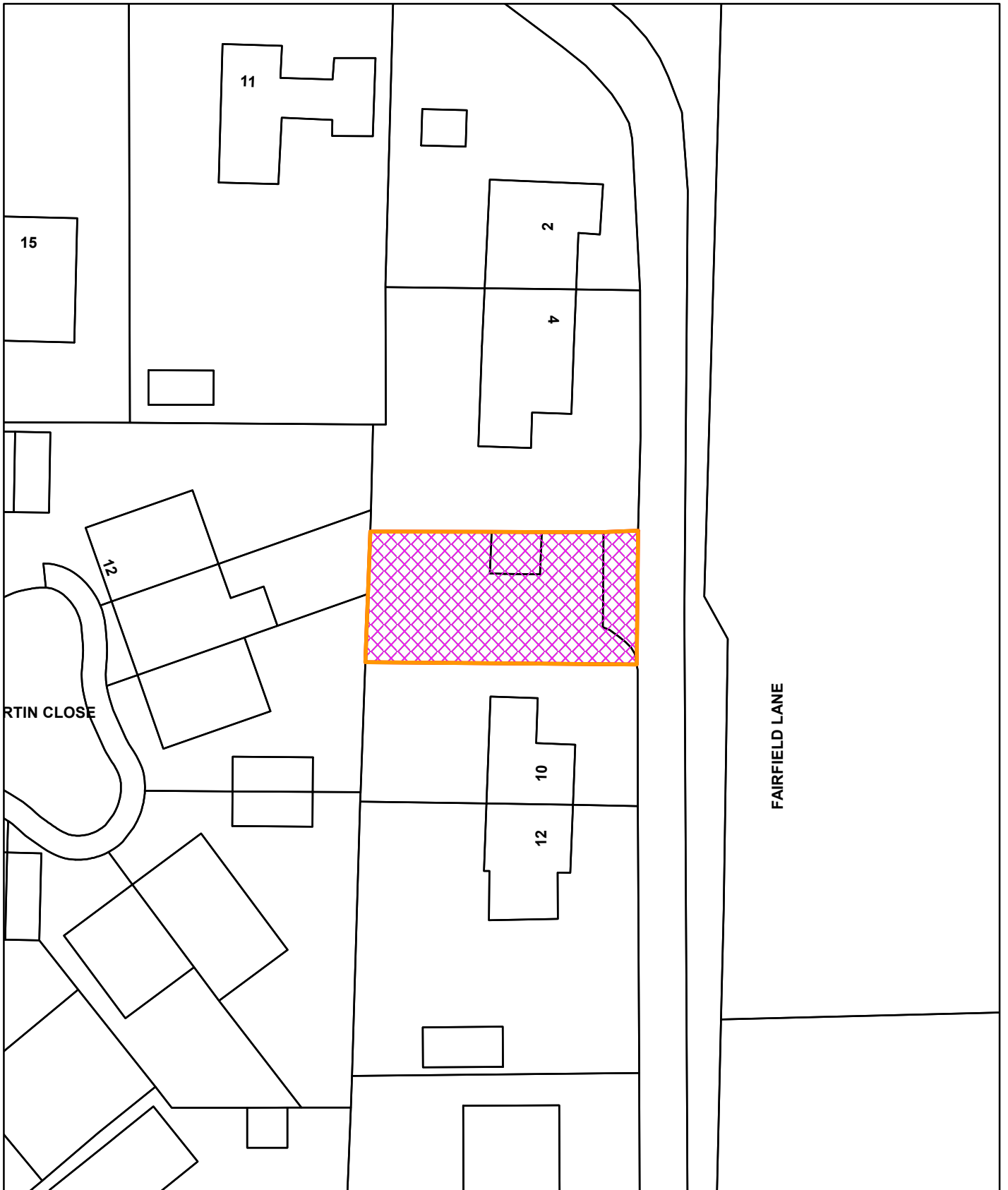
23/11/2022

111

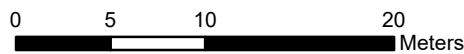


22/01577/RM

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23/11/2022

112



AGENDA ITEM NO.8/2(f)

Parish:	Watlington	
Proposal:	RESERVED MATTERS: Approval for all reserved matters, construction of new dwelling	
Location:	10 Fairfield Lane, Watlington, King's Lynn, Norfolk, PE33 0JE	
Applicant:	Client of Holt Architectural Ltd .	
Case No:	22/01577/RM (Reserved Matters Application)	
Case Officer:	Helena Su	Date for Determination: 1 December 2022 Extension of Time Expiry Date: 9 December 2022

Reason for Referral to Planning Committee –

Officer recommendation contrary to Parish Council response and Planning Sifting Panel referred application to Planning Committee.

Neighbourhood Plan: No

Case Summary

The application is for reserved matters for a two-storey dwelling following the grant of outline permission 22/00442/O.

The application site is located to the north of No 10, along the west side of Fairfield Lane, Watlington, which is a Public Footpath.

Key Issues

Principle of Development
Design
Impact on Neighbours
Highway and Public Rights of Way
Other Material Considerations

Recommendation: APPROVE

THE APPLICATION

Outline planning permission was granted in May 2022 for the construction of one dwellinghouse. This application seeks approval of the reserved matters.

The site served as residential garden to No 10 (to the south) but has been divided by an approx. 1.4m closed boarded fence along the south boundary. The north and east boundary is defined by an approx. 1.8m closed boarded fence.

The proposed dwelling is a two-storey dwelling with a projecting gable in the centre of the front elevation and overhanging first-floor and covered carport to the south of the dwelling. The dwelling would be finished in a mix of render, brick and vertical cedar cladding, which is consistent with materials along Fairfield Lane.

At the time of the site visit, planting on the site had been mostly cleared. The application site is located along the west side of Fairfield Lane, which is a Public Footpath and not maintained by Norfolk County Council.

SUPPORTING CASE None received to date.

PLANNING HISTORY

22/00442/O: Application Permitted: 26/05/22 - OUTLINE APPLICATION WITH ALL MATTER RESERVED: New dwelling between 4 & 10 Fairfield Lane (Delegated)

21/01741/RM: Application Withdrawn: 11/03/22 - RESERVED MATTERS APPLICATION: Construction of dwelling

18/01922/O: Application Permitted: 20/12/18 - Outline Application: New dwelling (Delegated)

RESPONSE TO CONSULTATION

Parish Council: OBJECTS

Access to the site will be via the Public Right of Way, Watlington Footpath 3, which has no public vehicular access and is not to a vehicular standard. The potholes in Fairfield Lane have only recently been filled and heavy machinery will cause the surface to churn up or sink.

Works vehicles and delivery vehicles would block the access road entirely during construction and building works. Larger vehicles for brick deliveries and roof trusses will not only struggle to manoeuvre and turn in Fairfield Lane, but will create problems and a danger to road users on such a tight corner on Station Road.

In regard to design, the roof should be hipped, as this reduces the mass appearance of the building.

Local Highways Authority: NO OBJECTION subject to condition regarding the proposed access, parking and passing area being constructed in accordance with the approved plan.

Public Rights of Way: NO OBJECTION on the following grounds:

We would highlight that access to the site will be via the Public Right of Way known as Watlington footpath 3 which does not offer any means of public vehicular access and it is not maintainable at the public expense to a vehicular standard. The applicant will need to ensure that they have an established private right of access to the land suitable for residential purposes. It would be expected that any damage caused to the footpath by the exercise of the private rights remains with the rights holders to repair.

The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

Internal Drainage Board: NO OBJECTION subject to compliance with the Board's Byelaws.

Environmental Quality: NO OBJECTION regarding contaminated land

Natural England: No Comment refers LPA to Standing Advice.

REPRESENTATIONS

THREE comments of **OBJECTION** regarding the following:

- Concerns with condition of Fairfield Lane, which will be worsened by the use of the track to complete the development.
- Blocking of public footpath.
- Outlook - never had a property to look at.
- Shadowing - lose a large amount of light to neighbouring gardens.
- Loss of privacy and overlooking.
- Access from Fairfield Lane to Station Road.
- Concern that widening the access will impede existing parking by other occupants along Fairfield Lane.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2019

PLANNING CONSIDERATIONS

The key issues are:

- Principle of Development
- Design

- Impact on Neighbours
- Highway and Public Rights of Way
- Other Material Considerations

Principle of Development

The site is located in Watlington, a Key Rural Service Centre under the settlement hierarchy of Policy CS02 of the Core Strategy. The site is located within the development boundary and the principle of the development has been established under the Outline permission (22/00442/O).

Design

Fairfield Lane comprises linear residential development along the west and planting to the east. The Lane contains a mix of semi-detached and detached dwellings within comfortable plots, finished in a mix of red facing brick and render, bound by a strict building line. The dwellings are somewhat modern and have been extended to the side by single storey and two-storey extensions.

The proposed dwelling is a two-storey dwelling with a projecting gable in the centre of the front elevation and overhanging first-floor and covered carport to the south of the dwelling. The dwelling would be 8.6m wide, 5.8m deep, with a 0.6m front projecting gable, and 7.1m tall, sited within the established building line along Fairfield Lane, enabling sufficient rear and front garden. The proposed dwelling is of modern appearance, being finished in red facing brick (plinth and pillar), render, and vertical cedar cladding, which is consistent with the mix of materials along Fairfield Lane. Furthermore, consideration has been given to window positions to the dwelling, which are predominantly focussed to the front elevation, and gable roof design, which is consistent with the surrounding dwellings.

The Parish Council commented that the roof should be hipped to reduce the mass appearance of the dwelling. However, considering the characteristics of the surrounding dwellings, a hipped roof would appear out of character. A gable roof would be more appropriate in this setting. Additionally, considering the space between the neighbouring dwellings, the scale and mass of the proposed dwelling is not considered to be at odds with the locality.

Regarding design, appearance, and impact on visual amenity the proposed dwelling complies with policy CS08 of the Core Strategy and policy DM15 of the SADMPP.

Impact on Neighbours

The site is adjoined by neighbours to the north, south, and west. The proposed dwelling would be sited approx. 11m south of No 4 (at its closest point), 2.2m to the north of No 10 (at its closest point), and between 15m - 20.7m east of No. 8, 10 and 12 Martin Close (at its closet point). Considering the distances, orientation, and siting of the proposed dwelling, the shadowing impact will be limited on the neighbours' gardens throughout the day and would ultimately not impact on neighbour amenity.

There are third party comments regarding outlook and impact on views. No 4 (to the north) has a ground-floor sunroom on the south elevation and no first-floor windows. No 8, 10, and 12 Martin Close (to the west) have ground-floor dining and kitchen windows and first-floor bedroom windows on their rear elevation. Additionally, No. 10 Martin Close (to the west) has a rear conservatory. Lastly, No 10 (to the south) has a ground-floor north side conservatory/porch and first-floor hallway window on their north elevation. The proposed dwelling will be built directly adjacent to No 10 (to the south) and 4 (to the north) Fairfield

Lane. Again, considering the distance and as neighbouring windows serving habitable rooms are sufficiently distanced, the proposed dwelling would not be overbearing and harm outlook. Impact on views is not a material planning consideration.

The application site would be defined by a 1.8m closed boarded fence along the north, west, and south boundary. Therefore, views from the ground floor windows would be well-screened. Furthermore, there are two first floor windows on the rear elevation serving the bathroom and hallway. The bathroom window would be obscure glazed and the hallway window would be high level, so would not result in an overlooking impact to surrounding neighbours. Lastly, the first-floor windows on the front elevation face Fairfield Lane and the public domain and would not therefore impact on neighbour amenity.

Overall, the dwelling would have limited impact on the neighbour amenity and therefore the proposed dwelling would comply with policy CS08 of the Core Strategy and policy DM15 of the SADMPP.

Highway and Public Rights of Way

The Parish Council and third-party comments raised concerns regarding the access, traffic during the construction period, and Watlington Footpath 3, the public right of way (PROW) on Fairfield Lane.

The access of Fairfield Lane from Station Road has been considered and dealt with at Outline stage, with a condition related to the access included on decision notice. Moreover, the applicant has made an application to Norfolk County Highway Authority to widen the access as per the Highway Authority's recommendation. Therefore, it is considered concerns with the access of Fairfield Lane from Station Road is addressed. Furthermore, the Local Highway Authority raised no objections to the access onto Fairfield Lane and recommended a condition relating to the access and driveway on the application site.

The Parish Council expressed concerns that the private access be impeded by construction traffic. Fairfield Lane is a private track. Any construction vehicles which may impede the track would be a civil matter, it would not raise any significant highway safety concerns. In addition, as the proposal is for one dwelling, it is considered that the construction period would not be long enough to result in such a disturbance to warrant a construction management plan.

Lastly, although Fairfield Lane is a Public Footpath, PROW did not raise any objections to the scheme on Watlington Footpath 3 subject to their comment which will be attached as an informative on the decision notice.

Other Material Considerations

A comment made by a third party raised concerns regarding existing parking arrangements following the widening of the access onto Fairfield Lane from Station Road. This matter is a civil matter which is outside the remit of Planning and not material to this planning application.

No Objections were raised by the Internal Drainage Board, Environmental Quality, and Natural England.

CONCLUSION

The principle of development for one new dwelling on this site has already been established by an Outline application, approved earlier this year.

The proposed two-storey dwelling is consistent with the existing form and character of dwellings along Fairfield Lane and within the wider setting. Although the Parish Council recommended that the roof should be hipped to reduce the mass of built form on the site, a hipped roof would be contrary to the prevailing character of the area. Furthermore, the proposed dwelling would result in limited impact on the surrounding neighbours.

On the basis of the above, the proposed dwelling is considered acceptable accords with the provisions of the NPPF, and the adopted Local Plan policies CS01, CS02, CS08 of the Core Strategy (2011) and DM2 and DM15 of the SADMPP (2016).

RECOMMENDATION:

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004
- 2 Condition: The development hereby permitted shall be carried out using only the following approved plan:
*Dwg no. HAL22-RC-100 Rev A.
- 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 access / on-site car parking / passing 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 areas, in the interests of satisfactory development and highway safety.
- 4 Condition: Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), no new windows/dormer windows (other than those expressly authorised by this permission) on the rear (west) elevation, shall be allowed without the granting of specific planning permission.
- 4 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order.
- 5 Condition: Before the first occupation of the building hereby permitted the first-floor bathroom windows on the west elevation shall be fitted with obscured glazing and any part of the window that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The window shall be permanently retained in that condition thereafter.
- 5 Reason: To protect the residential amenities of the occupiers of nearby property.

PLANNING COMMITTEE – 05th December 2022

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

- (1) To inform Members of the number of decisions issued between the production of the November Planning Committee Agenda and the 05th December agenda. 117 decisions issued 102 decisions issued under delegated powers with 15 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

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
Major	3	2	1		2	66%	60%	0	1
Minor	45	36	9	38		84%	80%	8	3
Other	69	63	6	61		85%	80%	2	1
Total	117	101	16						

Planning Committee made 15 of the 117 decisions, 13%

PLANNING COMMITTEE - 05th December 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
15.08.2022	22.11.2022 Application Permitted	22/01453/F	The Old Rectory Hyde Park Road Bagthorpe Norfolk Proposed Annexe.	Bagthorpe With Barmer - VACANT
25.07.2022	03.11.2022 Application Permitted	22/01297/F	Rose Cottage 75 Docking Road Bircham Newton King's Lynn Replacement Conservatory/Sunroom and Conversion of Outbuilding to Annex to Dwelling	Bircham
19.08.2022	17.11.2022 Application Permitted	22/01488/F	Cavenham Cottage Mill Hill Road Boughton Norfolk Two storey side extension, single storey rear extension and front porch on existing dwelling	Boughton

13.07.2022	14.11.2022 Application Permitted	22/01436/LB	Lion Cottage 12 Market Place Burnham Market Norfolk LISTED BUILDING APPLICATION: 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
29.07.2022	03.11.2022 Application Permitted	22/01342/F	Railway House Railway Court Creake Road Burnham Market Single storey extension to dwelling	Burnham Market
18.08.2022	11.11.2022 Application Permitted	22/01478/F	6 Mill Green Burnham Market King's Lynn Norfolk Proposed Summerhouse positioned to rear of property within garden.	Burnham Market
09.09.2022	25.10.2022 Application Permitted	22/01754/F	Beaconview 27 Kestrel Close Burnham Market King's Lynn Single storey rear and side extensions	Burnham Market
08.07.2022	14.11.2022 Application Permitted	22/01396/LB	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
29.07.2021	01.11.2022 Application Permitted	21/01529/LB	The Lord Nelson Walsingham Road Burnham Thorpe Norfolk Listed building application for the erection of a main sign to the front of the building	Burnham Thorpe

14.07.2022	10.11.2022 Application Refused	22/01452/F	10 The Pightle Back Lane Burnham Thorpe King's Lynn Boat Storage building and new window in front elevation of the house.	Burnham Thorpe
26.04.2022	04.11.2022 Permitted Development _App not reqd	22/00734/F	14 Orchard Lane Castle Acre Norfolk PE32 2BE Replacement of 2 nr. single glazed painted timber framed sash windows with identical painted timber framed sash windows having sealed double glazed units.	Castle Acre
09.09.2022	02.11.2022 Application Permitted	22/01631/F	Griffwood Old River Farm Old River Road Clenchwarton Extension to rear of detached bungalow	Clenchwarton
10.06.2022	10.11.2022 Application Permitted	22/01187/F	2 Old Rectory St Andrews Lane Congham King's Lynn `Residential extensions to the rear	Congham
30.08.2022	14.11.2022 Application Permitted	22/01547/F	E End of The Former RAF Downham Market Runway New Road Crimplesham Norfolk Erection of a War Memorial	Crimplesham
25.01.2022	17.11.2022 Application Refused	22/00144/F	5 Brenda Collison Close Dersingham King's Lynn Norfolk Proposed first floor extension and alterations	Dersingham
15.07.2022	24.10.2022 Application Permitted	22/01255/F	9 Post Office Road Dersingham King's Lynn Norfolk Garden Studio Building and Garage	Dersingham

04.08.2022	22.11.2022 Application Permitted	22/01569/F	12 Woodside Close Dersingham King's Lynn Norfolk Extension to rear, loft conversion, double garage and associated works.	Dersingham
16.08.2022	03.11.2022 Application Permitted	22/01626/F	35 Gelham Manor Dersingham King's Lynn Norfolk Single Storey flat roof side and rear extension and alterations to dwelling	Dersingham
26.09.2022	21.11.2022 Application Permitted	22/01703/F	4 Valley Rise Dersingham King's Lynn Norfolk Change of use to existing integral garage into additional Bedroom.	Dersingham
08.02.2022	04.11.2022 Application Permitted	22/00272/F	Chalfont House High Street Docking King's Lynn Proposed dwelling on vacant land	Docking
17.06.2022	25.10.2022 Application Permitted	22/01056/F	Docking Church of England Primary School And Nursery Well Street Docking Norfolk Creation of new access, installation of metal gate and repairs to North boundary wall	Docking
27.06.2022	04.11.2022 Application Permitted	22/01113/F	Dunroming Bircham Road Stanhoe KINGS LYNN VARIATION OF CONDITION 4 OF PLANNING PERMISSION 19/02072/F: Removal or variation of condition 11 of planning permission 15/01753/F: Erection of 2 no detached bungalows with garages and associated works	Docking

25.07.2022	09.11.2022 Application Permitted	22/01300/F	The Gables Fakenham Road Docking King's Lynn VARIATION OF CONDITIONS 2 AND 3 OF PLANNING PERMISSION 21/02441/F: Two storey side and single storey rear extension to dwelling	Docking
08.10.2021	24.10.2022 Application Permitted	21/01980/CU	GTJ Cars Sovereign Way Trafalgar Industrial Estate Downham Market Retrospective Change of Use from Class E to used car sales/showroom (Sui Generis).	Downham Market
19.07.2022	15.11.2022 Application Permitted	22/01268/F	33B Lynn Road Downham Market Norfolk PE38 9NJ Construction of one single storey dwelling following removal of carport, part demolition of garage, alterations to access & forming new driveway.	Downham Market
19.07.2022	15.11.2022 Application Permitted	22/01269/CU	33B Lynn Road Downham Market Norfolk PE38 9NJ Change of use from B1 Office to one dwelling	Downham Market
11.08.2022	01.11.2022 Application Permitted	22/01440/F	Hill House 7 Church Road Downham Market Norfolk Replacement side extension and front porch and construction of car port	Downham Market

22.11.2022	22.11.2022 Application Permitted	22/01268/NMA_1	33B Lynn Road Downham Market Norfolk PE38 9NJ NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/01268/F: Construction of one single storey dwelling following removal of carport, part demolition of garage, alterations to access & forming new driveway	Downham Market
14.04.2022	11.11.2022 Application Permitted	22/00777/F	Unit 2 Coxford Abbey Farm Old Fakenham Road Coxford Re-building of workshop units following fire and part demolition	East Rudham
03.08.2022	04.11.2022 Application Permitted	22/01377/F	Faize Cottage 21 Station Road East Rudham King's Lynn Erection of single storey outbuilding to provide a games room and store	East Rudham
18.08.2022	02.11.2022 Not Lawful	22/01482/LDP	6 Groveside East Rudham King's Lynn Norfolk This is an application for a conservatory measuring 2.95 metres long by 4.7 metres wide with a height of 3.4 metres. A base will have to be dug out and laid to support the conservatory. The conservatory will not extent beyond the side of the property but will extend at the rear by approx 3.25 metres. No changes will be made to access to or around the property and it will not be within 2 metres of an adjoining boundary.	East Rudham

12.08.2022	08.11.2022 Application Permitted	22/01605/F	Stoneycroft 95 Hollycroft Road Emneth Wisbech Convert existing garage to a habitable room and remove existing flat roof and remove and replace with hipped end roof to match the existing building.	Emneth
18.08.2022	27.10.2022 Would be Lawful	22/01476/LDP	The Laurels 48 Elm High Road Emneth Wisbech Lawful Development Certificate: Use of land for siting a mobile home for use ancillary to the main dwelling.	Emneth
18.05.2022	16.11.2022 Application Refused	22/01004/F	Former Coal Yard And Dwellings At 28 And 30 Long Lane Feltwell Thetford Proposed two detached two storey dwellings	Feltwell
14.09.2022	08.11.2022 Application Permitted	22/01656/F	28 Hereward Way Feltwell Thetford Norfolk Demolition of garage and construct a 2 storey side extension and single storey rear extension	Feltwell
15.08.2022	04.11.2022 Application Permitted	22/01450/F	Flitcham Church of England (Voluntary Aided) Primary School Church Road Flitcham Norfolk Log cabin classroom with store room.	Flitcham with Appleton
08.08.2022	31.10.2022 Application Refused	22/01411/F	Land Rear of 13 Lime Kiln Road Lime Grove Gayton King's Lynn Detached dwelling and landscape works incidental to the development	Gayton

07.10.2022	28.10.2022 TPO Work Approved	22/00086/TPO	16 Rowan Drive Gayton King's Lynn Norfolk 2/TPO/00600: T1 and T2 - Sycamore trees, at rear of property, adjacent to western boundary of school premises. To carry out an approximately 15% Crown reduction to both trees, along with removal of deadwood and lifting of the crown.	Gayton
08.11.2022	14.11.2022 Application Permitted	19/01325/NMAM_1	Land NE of Downely Lynn Road Gayton Norfolk NON MATERIAL AMMENDMENT TO PLANNING PERMISSION 19/01325/RMM: Major reserved matters: Construction of 19 dwellings (phase 3)	Gayton
04.08.2022	10.11.2022 Tree Application - No objection	22/00142/TREECA	Kennels Farm 19 Castleacre Road Great Massingham King's Lynn T1 - Mature Holm Oak to SW corner of the site on the corner of Castleacre Road and access to Kennels Farm. Remove overhanging branches within a Conservation Area	Great Massingham

12.09.2022	15.11.2022 AG Approval Refused Prior	22/01645/AG	Field Drift College Farm Castleacre Road Great Massingham Agricultural Prior Notification: Construction of a clay lined reservoir for storage of water for irrigation purposes. All soil excavated will be used in the construction so nothing will be removed from the site.	Great Massingham
14.07.2022	17.11.2022 Application Permitted	22/01442/F	Cornwall Terrace 62 Chapel Road Pott Row Norfolk Proposed two storey side extension	Grimston
01.08.2022	22.11.2022 Application Permitted	22/01350/F	Hudson Fen Chapel Road Pott Row King's Lynn Retention and use of existing portable building as a part-time cafe. Retention of use of field for open air markets and siting of storage container for equipment	Grimston
03.08.2022	26.10.2022 Application Permitted	22/01381/F	8 North Beach Heacham King's Lynn Norfolk Proposed pre-fabricated Boat Store / Outbuilding and associated hardstanding to be utilised for non- habitable storage use only. Proposed additional hardstanding and Proposed repositioning of existing access	Heacham

15.08.2022	22.11.2022 Application Permitted	22/01451/F	23 Neville Road Heacham King's Lynn Norfolk Single and 2 storey extension to side and rear of existing house, to provide additional bedrooms, large kitchen/diner and alterations to layout	Heacham
05.09.2022	31.10.2022 Would be Lawful	22/01594/LDP	Alouette 51 South Beach Heacham Norfolk Replacement static caravan	Heacham
09.09.2022	02.11.2022 Not Lawful	22/01630/LDP	15 South Beach Heacham Norfolk PE31 7LH Application for a Lawful Development Certificate for proposed infill extension with raised terrace to rear, proposed replacement flat roof, and internal and external alterations	Heacham
29.07.2022	02.11.2022 Not Lawful	22/01339/LDP	Annexe At White Dyke Farm Black Dyke Road Hockwold cum Wilton Application for a Lawful Development Certificate for a proposed single storey side extensions	Hockwold cum Wilton
24.08.2022	04.11.2022 Not Lawful	22/01689/LDE	Twelve Acre Farm Moor Drove (East) Hockwold cum Wilton THETFORD Application for a Lawful Development Certificate for an existing dwelling	Hockwold cum Wilton
27.07.2022	25.10.2022 Application Permitted	22/01525/F	Homefields Peddars Way Holme next The Sea Norfolk Single storey extensions and alterations to bungalow	Holme next the Sea

12.07.2022	01.11.2022 Application Permitted	22/01223/F	1 Tudor Crescent Hunstanton Norfolk PE36 5JH Proposed Side & Rear Extension	Hunstanton
29.07.2022	02.11.2022 Application Permitted	22/01337/F	1 Bishops Road Hunstanton Norfolk PE36 5AX Proposed rear extension	Hunstanton
03.08.2022	22.11.2022 Application Refused	22/01375/F	Vacant - Commercial 8 Le Strange Terrace Hunstanton Norfolk Application for six new 1 bedroom apartments by change of use of commercial space, loft conversion and rear extension facilitated by demolition of 2no existing outbuildings.	Hunstanton
12.09.2022	01.11.2022 Application Permitted	22/01635/A	7 Saturday Market Place King's Lynn Norfolk PE30 5DQ Application for advertisement consent for 1 x Front Renegade Spudz Fascia Sign, 1 x Hanging Sign and 1 x Front door graphic, printed vinyl applied to glass	King's Lynn
04.01.2022	21.11.2022 Application Refused	22/00031/F	Bishops Lynn House 18 Tuesday Market Place King's Lynn Norfolk Change of use of part of ground floor office to form 2No one bedroom flats	King's Lynn
04.01.2022	21.11.2022 Application Refused	22/00033/F	Bishops Lynn House 18 Tuesday Market Place King's Lynn Norfolk Change of use of former first floor office cloakroom to studio flat	King's Lynn

17.01.2022	07.11.2022 Application Permitted	22/00066/LB	Globe Hotel King Street King's Lynn Norfolk Ground floor internal alteration and refurbishments. Rear garden refurbishments.	King's Lynn
08.02.2022	07.11.2022 Application Permitted	22/00196/LB	Card Zone 81 High Street King's Lynn Norfolk Existing timber structure is damaged likely by either beetle infestation and wet rot. Repair of damaged oak beams to be undertaken, further investigation works required.	King's Lynn
13.07.2022	16.11.2022 Application Permitted	22/01231/F	Flat 2 3 King Street King's Lynn Norfolk Replacement of 3 windows from timber to UPVC	King's Lynn
25.07.2022	02.11.2022 Split Decision - Part approve_refuse	22/01295/A	EMG Motor Group Beveridge Way Hardwick Narrows King's Lynn Sign F - Internally illuminated totem sign	King's Lynn
27.07.2022	07.11.2022 Application Permitted	22/01315/F	17 Harewood Drive King's Lynn Norfolk PE30 2BS Loft conversion & dormer window to rear elevation	King's Lynn
08.08.2022	11.11.2022 Application Permitted	22/01412/A	Vacant 4 - 5 Campbells Meadow King's Lynn Norfolk 1No. Replacement fabricated aluminum flex face box sign and 1No. Internally illuminated fret cut aluminium tray sign	King's Lynn

10.08.2022	09.11.2022 Application Permitted	22/01424/F	Ambit Projects Ltd 7 - 9 St Andrews Road Hardwick Industrial Estate King's Lynn Proposed Extension to Industrial Unit	King's Lynn
19.08.2022	10.11.2022 Application Permitted	22/01489/F	128 Gaywood Road King's Lynn Norfolk PE30 2PX Proposed single storey rear extension and internal alterations	King's Lynn
01.09.2022	14.11.2022 Was Lawful	22/01761/LDE	2 Wisbech Road King's Lynn Norfolk PE30 5JN Lawful Development Certificate: Existing dwelling has been used as flats in excess of 10 years	King's Lynn
15.09.2022	27.10.2022 GPD HH extn - Approved	22/01662/PAGPD	51 Burnham Avenue King's Lynn Norfolk PE30 3HD Single storey rear extension which extends beyond the rear wall by 4.2m with a maximum height of 3m and a height of 2.7m to the eaves.	King's Lynn
21.09.2022	03.11.2022 Prior Approval - Refused	22/01724/T3	Street Record John Kennedy Road King's Lynn Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Proposed 5G 18m telecoms installation, H3G street pole and additional equipment cabinets	King's Lynn
28.09.2022	21.11.2022 Application Permitted	22/01833/F	Ambulance Station Gayton Road Queen Elizabeth Hospital Site King's Lynn Erection of a cantilever canopy to the existing wash bay of the station.	King's Lynn

17.10.2022	04.11.2022 Application Permitted	21/01979/NMAM_3	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01979/FM: Public service infrastructure planning application. Proposed construction of a two-storey hospital building (Use Class C2) with associated infrastructure and landscaping	King's Lynn
21.09.2022	16.11.2022 Application Permitted	22/01805/F	342 Elm Road Upper Marham Norfolk PE33 9NG Retrospective Erection of a domestic outbuilding	Marham
22.04.2022	03.11.2022 Application Permitted	22/00708/F	Westfields School Road Marshland St James Norfolk Proposed Barn Conversion to two new dwellings	Marshland St James
10.05.2022	08.11.2022 Application Permitted	22/00819/F	28 Smeeth Road Marshland St James Wisbech Norfolk Change of use of land from agricultural to paddock, and erection of stables and store.	Marshland St James

04.08.2021	04.11.2022 Application Permitted	21/01580/FM	Drain From Bexwell To Bury St Edmunds 562498 303555 Norfolk Proposed hybrid for the proposed Bexwell to Bury St Edmunds Pipeline Scheme with full planning consent sought for a proposed 70 kilometre pipeline and associated above ground infrastructure at Gazeley, Isleham and Woodditton; and outline consent for above ground infrastructure at Bexwell, Kentford Ladys Green and Rede with all matters reserved except access	Methwold
31.08.2022	24.10.2022 Application Permitted	22/01560/F	47 Main Road Brookville THETFORD Norfolk Detached double residential garage, serving existing dwelling	Methwold
21.09.2022	28.10.2022 TPO Approved Work	22/00080/TPO	Fornside Setch Road Blackborough End Norfolk 2/TPO/00104: T5 - Oak. Carry out dead wood removal within canopy, along with crown lift and reduction of limbs extending over driveway towards dwelling	Middleton
07.09.2022	01.11.2022 Application Permitted	22/01612/F	25 The Green North Runcton King's Lynn Norfolk Rear extension to detached bungalow to form annexe	North Runcton
02.08.2022	25.10.2022 Application Permitted	22/01365/F	57 Hayfields Road North Wootton King's Lynn Norfolk Removal of existing conservatory, construction of single storey rear and side elevation.	North Wootton

16.08.2022	08.11.2022 Application Permitted	22/01628/F	12 Cranmer Avenue North Wootton King's Lynn Norfolk Proposed rear first floor extension and internal alterations	North Wootton
21.09.2022	16.11.2022 Application Refused	22/01840/F	24 The Howards North Wootton King's Lynn Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 22/01282/F: Proposed two storey extension on each side of the detached property and front extension single storey	North Wootton
30.09.2022	17.11.2022 Prior Approval - Approved	22/01748/T3	At Wootton Park Land Off Bede Close North Wootton Norfolk APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: The installation of a 25m telecommunications tower (26m total height) supporting 3no. antennas 1 no. 600mm dish, 1no. 0.3m dish, associated antenna support units, a GPS module, 3no. cabinets, a meter cabinet located within a 1.8m high chain link fenced compound and associated ancillary development thereto	North Wootton
19.07.2022	22.11.2022 Application Permitted	22/01266/F	Cliff Farmhouse 62 Old Hunstanton Road Old Hunstanton Hunstanton Demolition of existing masonry Shed. Proposed extension and alterations to rear of listed building to create open plan kitchen/living/dining area	Old Hunstanton

19.09.2022	15.11.2022 Tree Application - No objection	22/00174/TREECA	Victorian Wing Hunstanton Hall Church Road Old Hunstanton T1 Holm Oak - cut middle canopy back to wall on neighbour's side. Taper outwards to meet upper canopy. Cut back overhang to moat back in line with wall	Old Hunstanton
27.06.2022	22.11.2022 Application Permitted	22/01112/O	Land W of Woodhall Robbs Chase Outwell Norfolk OUTLINE WITH SOME MATTERS RESERVED: Residential development - one dwelling	Outwell
07.06.2022	27.10.2022 Application Permitted	22/01142/F	Charolais Low Road Pentney King's Lynn Variation of Condition 2 attached to Planning Permission 19/01920/F: Demolition of agricultural building and replacement with two dwellings	Pentney
19.08.2022	22.11.2022 Application Permitted	22/01487/F	Apple Tree Cottage 62 Docking Road Ringstead Hunstanton Erection of a single storey dwelling on land adjacent to 62 Docking Road	Ringstead
06.09.2022	17.11.2022 Application Permitted	22/01597/F	2 Stoney Road Roydon King's Lynn Norfolk Upgrade of south/front facade windows and proposed Brise Soleil. Installation of 2no roof lights to north/rear facade.	Roydon

14.07.2022	27.10.2022 Application Permitted	22/01238/A	Costa Coffee 161 Bexwell Road Downham Market Norfolk Erection of two fascia signs, two cut out hearts and darts sign, height barrier, exit sign, banner frame, directional sign, single digital menu and triple digital menu	Ryston
28.07.2022	22.11.2022 Application Permitted	22/01526/F	2 Mallard Close Snettisham King's Lynn Norfolk Single storey extension to dwelling and porch	Snettisham
02.08.2022	10.11.2022 Tree Application - No objection	22/00144/TREECA	Old Cottage Back Lane South Creake FAKENHAM T1 - Walnut. Crown thin 20%. Reduce away from house and out buildings by 1.5 - 2 metres to suitable pruning points, rebalance crown and crown lift to 2.5 -3 metres above ground. T2 - Walnut. Crown thin 15%. Reduce away from next door building by 1.5 - 2 metres to suitable pruning points, rebalance crown and crown lift to 2.5 - 3 metres above ground level.	South Creake
17.08.2022	08.11.2022 Would be Lawful	22/01629/LDP	Bluestone Cottages 43 Bluestone Road South Creake Norfolk Lawful Development Certificate: Installation of 10 Solar panels on the west facing roof	South Creake

03.05.2022	17.11.2022 Application Permitted	22/00807/CU	The Landings 51 Castle Rising Road South Wootton King's Lynn Change of use of existing swimming pool from private use to use by other persons outside of the household to be able to use the facility.	South Wootton
20.06.2022	21.11.2022 Application Permitted	22/01068/F	Fordham House 16 Castle Rising Road South Wootton King's Lynn Proposed Renovation and Extensions to existing dwelling. Including demolition works.	South Wootton
30.06.2022	11.11.2022 Application Permitted	22/01143/F	Woodleigh 27 Sandy Lane South Wootton King's Lynn Proposed single and two storey extensions and internal alterations. Proposed garage/store	South Wootton
11.08.2022	02.11.2022 Application Permitted	22/01438/F	Polmuir 32 Castle Rising Road South Wootton King's Lynn Rear Extension.	South Wootton
29.06.2022	22.11.2022 Application Permitted	22/01136/F	Tanglewood 31 Lynn Road Southery Downham Market Construction of one dwelling, including new access	Southery
07.09.2022	11.11.2022 Application Permitted	22/01610/F	Southery Bridleway 13 Southery Norfolk Replacement of existing road bridge across internal drainage board maintained drain with new structure of increased width	Southery
13.09.2022	08.11.2022 Application Permitted	22/01646/F	Whitestrands Docking Road Stanhoe Norfolk Proposed Oak Frame Front Extension	Stanhoe

09.09.2022	21.11.2022 Application Permitted	22/01709/F	7 Tattersett Road Syderstone King's Lynn Norfolk Proposed 2 storey rear extension, alterations/enlargement of bedroom 4 and various associated alterations, including re-facing of external facade	Syderstone
14.04.2022	02.11.2022 Application Refused	22/00662/F	St Clements Church Churchgate Way Terrington St Clement Norfolk Extension to create church meeting room	Terrington St Clement
26.04.2022	20.10.2022 Application Permitted	22/00731/F	Sandygate House 9 Sandygate Lane Terrington St Clement King's Lynn Demolition of existing domestic outbuilding and erection of new domestic outbuilding containing garage area and first floor domestic store area and attached private/hobby pottery studio with mezzanine.	Terrington St Clement
16.05.2022	27.10.2022 Application Permitted	22/00967/F	Antwerp House 66 Marsh Road Terrington St Clement King's Lynn Conversion of barn to dwelling and formation of driveway	Terrington St Clement
13.06.2022	10.11.2022 Application Permitted	22/01019/PACU3	Green Marsh Farm Barn Green Marsh Road Terrington St Clement Norfolk Notification for Prior Approval for change of use of agricultural building to two dwellings (Schedule 2, Part 3, Class Q)	Terrington St Clement

20.06.2022	16.11.2022 Application Permitted	22/01065/F	Land W of 1 And 1A Eastgate Lane Sutton Road Terrington St Clement Norfolk Replacement of barn (approved for conversion) with new barn type dwelling house	Terrington St Clement
10.08.2022	01.11.2022 Application Permitted	22/01603/F	Fairview 31 Lynn Road Terrington St Clement King's Lynn Retrospective application for rear extension	Terrington St Clement
26.08.2022	02.11.2022 Application Permitted	22/01663/F	16 Moat Road Terrington St Clement King's Lynn Norfolk Proposed two storey extension including render and cladding to remaining property.	Terrington St Clement
01.09.2022	10.11.2022 Application Permitted	22/01574/F	Sunnyside 82 Marsh Road Terrington St Clement King's Lynn Alteration and extension to bungalow with new detached garage	Terrington St Clement
21.09.2022	03.11.2022 AG Notification NOT REQD Prior -	22/01680/AG	Spencer Farm Sutton Road Terrington St Clement King's Lynn Agricultural Prior Notification: Steel framed farm building	Terrington St Clement
26.09.2022	17.11.2022 Application Permitted	22/01704/F	Quorn 24 Popes Lane Terrington St Clement King's Lynn single storey extension to rear of semi detached cottage	Terrington St Clement
11.07.2022	01.11.2022 Application Permitted	22/01208/F	Tack House St Peters Lodge Fence Bank Walpole Highway Wisbech Proposed conversion of outbuildings to extend into existing dwelling	Terrington St John

06.09.2022	16.11.2022 Application Permitted	22/01599/F	Sea View The Green Thornham Hunstanton Dormer roofs added to existing loft conversion rear single storey extension	Thornham
22.09.2022	16.11.2022 Was Lawful	22/01842/LDE	6 Pastures Court Thornham KINGS LYNN Norfolk Application for a Lawful Development Certificate for the existing use of site as garden land	Thornham
22.10.2021	11.11.2022 Was Lawful	21/02058/LDE	The Cottage Church Lane Tilney Hall Tilney All Saints Lawful Development Certificate: Existing use as dwelling	Tilney All Saints
30.03.2022	03.11.2022 Application Permitted	22/00673/F	32 St Johns Road Tilney St Lawrence Norfolk PE34 4QL Demolition of conservatory and construction of rear single and side two-storey extensions and detached triple garage	Tilney St Lawrence
16.05.2022	04.11.2022 Application Refused	22/00862/F	Duncans Farm House Lynn Road Tilney All Saints King's Lynn Retrospective External and internal works to Listed Building including demolishing works and extensions, erection of garden structure, conversion of storerooms to annexe and works to roof, change of use of land to domestic use.	Tilney St Lawrence

16.05.2022	04.11.2022 Application Refused	22/00863/LB	Duncans Farm House Lynn Road Tilney All Saints King's Lynn Listed Building Application: Retrospective External and internal works to Listed Building including demolishing works and extensions, erection of garden structure, conversion of storerooms to annexe and works to roof, change of use of land to domestic use.	Tilney St Lawrence
15.08.2022	11.11.2022 Application Permitted	22/01460/F	115 Spice Chase Tilney St Lawrence King's Lynn Norfolk Single storey rear extension to dwelling	Tilney St Lawrence
25.08.2022	11.11.2022 Application Permitted	22/01527/F	The Willows 106 Magdalen Road Tilney St Lawrence King's Lynn Formation of new culvert access for agricultural use.	Tilney St Lawrence
02.08.2022	10.11.2022 Application Permitted	22/01364/F	27 Listers Road Upwell Norfolk PE14 9BW Change of Use from part commercial and residential to full residential including the construction of timber verandah and associated alterations and external works.	Upwell
09.08.2022	03.11.2022 Application Permitted	22/01593/F	Emric Pudrah 141 School Road Upwell Wisbech Side and rear extension, and alterations to dwelling	Upwell
19.05.2022	24.10.2022 Application Permitted	22/00893/F	3 Lucky Lane Walpole St Andrew Norfolk Proposed new dwelling	Walpole

06.10.2022	03.11.2022 Application Permitted	14/00972/NMA_2	Beacon Cottage The Marsh Walpole St Andrew Wisbech NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 14/00972/F: Erection of two houses	Walpole
15.07.2022	22.11.2022 Application Refused	22/01463/F	Fern House Market Lane Walpole St Andrew Wisbech Single storey extension to side and rear of existing dwelling	Walpole Cross Keys
27.04.2022	04.11.2022 Application Permitted	22/00751/F	The Bungalow Wilkins Road Walsoken Wisbech Replacement dwelling and new culvert access.	Walsoken
06.07.2022	27.10.2022 Application Permitted	22/01370/F	People And Animals Lynn Road Walsoken WISBECH Erection of 2 no Solar Arrays (PV), a greenhouse and an eco-toilet	Walsoken
26.08.2022	24.10.2022 Application Permitted	22/01541/F	Peacehaven 86 Downham Road Watlington King's Lynn Proposed single storey rear extension and alterations.	Watlington
15.09.2022	24.10.2022 TPO Approved Work	22/00079/TPO	31 Thieves Bridge Road Watlington King's Lynn Norfolk 2/TPO/00246 T1 - Pine, to fell. T2 - Lime two branches need cutting and one dead. The other laying on top of a blossom bee.	Watlington
21.03.2022	03.11.2022 Application Permitted	22/00586/F	Land Between 164 And 154 Salts Road West Walton Wisbech Proposed polytunnels, and associated development, with improved access and parking	West Walton

09.06.2022	02.11.2022 Application Permitted	22/01177/F	Mulberry House 37 River Road West Walton Wisbech Detached garden room and hot tub enclosure.	West Walton
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