

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



# **Planning Committee**

## **Agenda**

**Monday, 24th April, 2023**  
at 9.30 am

in the

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

Also available to view at:

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

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



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**PLANNING COMMITTEE AGENDA**

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

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 24th April, 2023

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

**TIME:** 9.30 am

**1. APOLOGIES**

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

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 3 April 2023.

**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 5 - 6)**

The Committee is asked to note the Index of Applications.

**a) Decisions on Applications (Pages 7 - 168)**

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

**9. DELEGATED DECISIONS (Pages 169 - 189)**

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 27 April 2023** (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 21 April 2023**. Please contact [borough.planning@west-norfolk.gov.uk](mailto:borough.planning@west-norfolk.gov.uk) or call (01553) 616818 or 616234 to register.

### For Major Applications

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

### For Minor Applications

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

For Further information, please contact:

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



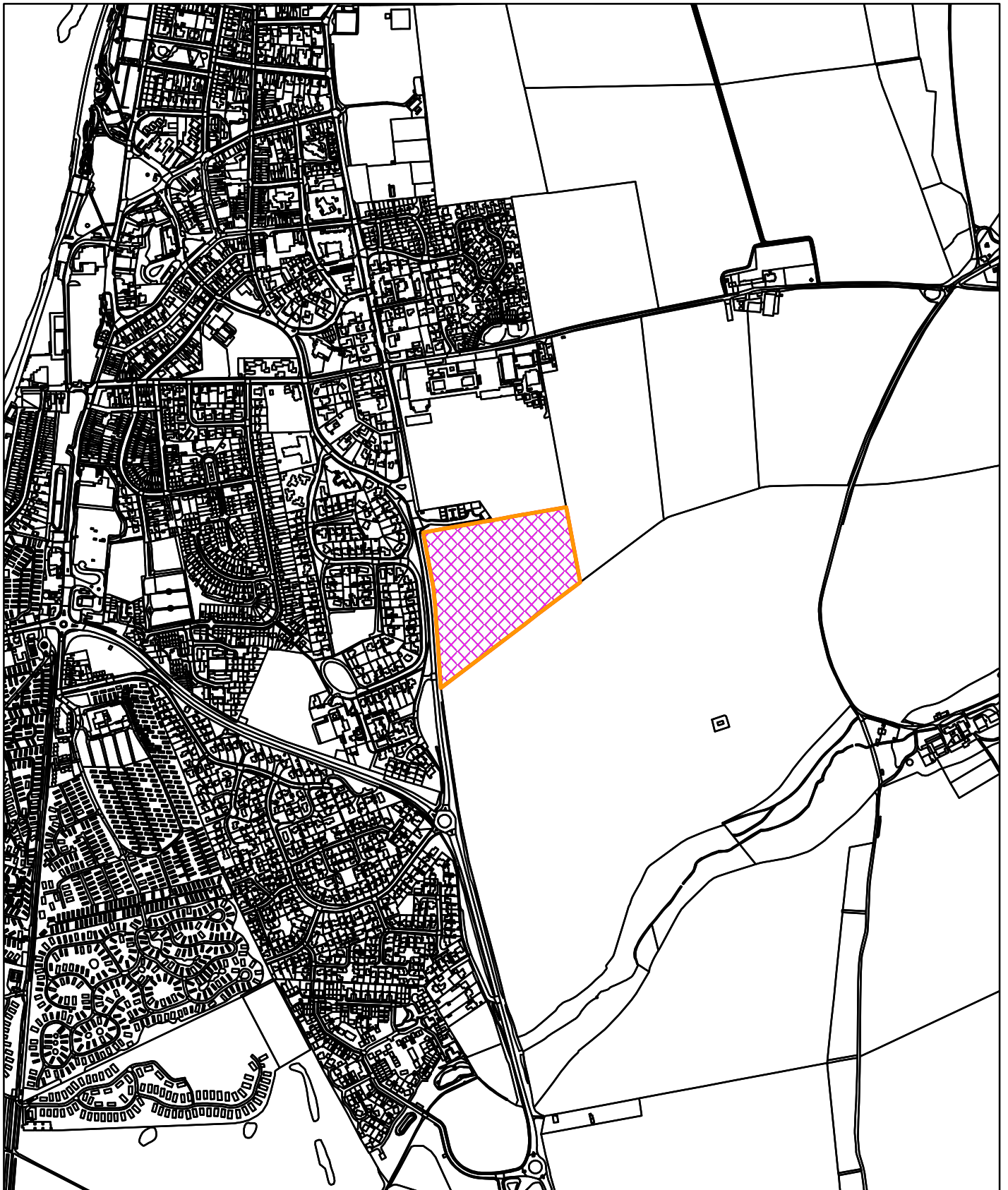
**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON MONDAY 24 APRIL 2023**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>8/1</b>	<b>MAJOR DEVELOPMENTS</b>			
8/1(a)	<b>22/00929/FM</b> Land S of Hunstanton Commercial Park And E Kings Lynn Road, Hunstanton, PE36 5JQ Development of 61 housing with care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services and associated landscaping, highway works and associated infrastructure	<b>HUNSTANTON OLD HUNSTANTON</b>	<b>APPROVE</b>	<b>7</b>
8/1(b)	<b>22/01947/FM</b> Queen Elizabeth Hospital, Gayton Road, King's Lynn, PE30 4ET Demolition of the Inspire Centre, including its associated car park and full planning permission for the construction of a new Multi-Storey Car Park, associated highway works, engineering works, drainage works and landscaping.	<b>KINGS LYNN</b>	<b>APPROVE</b>	<b>42</b>
8/1(c)	<b>22/01756/FM</b> Land S of Sandy Lane And N And S of Walsoken Footpath, Usrn 80483456, Sandy Lane, Walsoken PE14 7BJ Hybrid application. Full planning permission for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure. Outline planning permission for a Community Hub/local centre comprising convenience store 300 m2, other retail .services/health 200 m2, parking/servicing, play areas/open space, 60 bedroom care home/extra care accommodation and C3 residential development with all matters reserved apart from access	<b>WALSOKEN EMNETH</b>	<b>DEVOLVE AUTHORITY TO FENLAND DISTRICT COUNCIL</b>	<b>69</b>

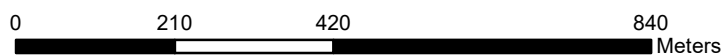
<b>Item No.</b>	<b>Application No. Location and Description of Site Development</b>	<b>PARISH</b>	<b>Recommendation</b>	<b>Page No.</b>
8/1(d)	<b>22/01987/FM</b> Land SE of Poplar Farm Harps Hall Road PE14 7DL Installation, operation, and decommissioning of solar farm comprising an array of ground mounted solar PV panels and battery storage system with associated infrastructure including inverters and a substation compound as well as fencing, security cameras, cabling and bio diversity enhancement measures.	<b>WEST WALTON WALSOKEN MARSHLAND ST JAMES</b>	<b>APPROVE</b>	<b>79</b>
8/1(e)	<b>22/01151/FM</b> Land NW of High Road, Saddlebow, PE34 3AW Installation of a Battery Energy Storage System (BESS) comprising; self-contained battery modules on skids; transformers; Power Conversion Systems Modules; Control Building; electrical connection compound including substation; control and storage containers; underground cables and conduits; access track; security fence; acoustic fence; temporary construction compound and associated infrastructure; bund and planting scheme	<b>WIGGENHALL ST GERMANS</b>	<b>APPROVE</b>	<b>118</b>
<b>8/2</b>	<b>OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>			
8/2(a)	<b>22/02135/F</b> 12 Davy Field, Lynn Road, Ingoldisthorpe, PE31 6TR Construction of dwelling on Plot 12	<b>INGOLDISTHORPE</b>	<b>APPROVE</b>	<b>141</b>
8/2(b)	<b>22/01913/F</b> Lombardy, High Street, Thornham PE36 6LX Construction of 2 new dwellings following demolition of existing dwelling	<b>THORNHAM</b>	<b>APPROVE</b>	<b>151</b>

# 22/00929/FM Land S of Hunstanton Commercial Park

& E Lynn Road PE36 5JQ



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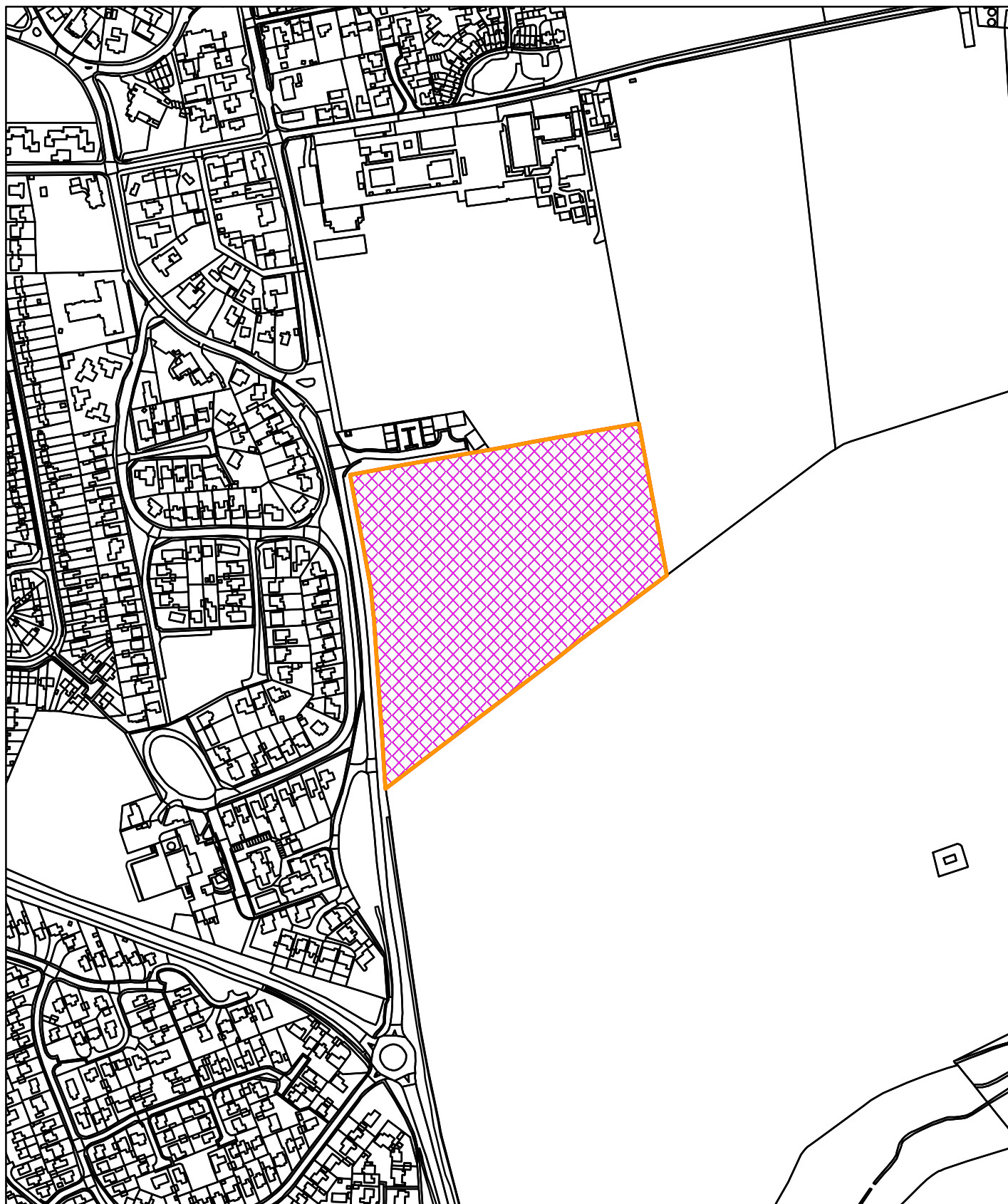


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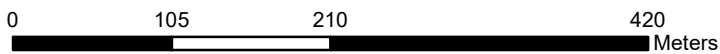


# 22/00929/FM Land S of Hunstanton Commercial Park

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13/04/2023

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<b>Parish:</b>	<b>Hunstanton Old Hunstanton</b>	
<b>Proposal:</b>	<b>Development of 61 housing with care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services and associated landscaping, highway works and associated infrastructure.</b>	
<b>Location:</b>	<b>Land S of Hunstanton Commercial Park And E, Kings Lynn Road, Hunstanton, PE36 5JQ</b>	
<b>Applicant:</b>	<b>Lovell Partnerships and Le Strange Estates</b>	
<b>Case No:</b>	<b>22/00929/FM</b>	
<b>Case Officer:</b>	<b>Kelly Sweeney</b>	<b>Date for Determination: 9/9/22 Extension of Time Expiry Date: 28<sup>th</sup> April 2023</b>

**Reason for Referral to Planning Committee** – The application is a major application which raises issues of wider than local concern and has been called-in for determination by Councillor Beal.

**Neighbourhood Plan: Hunstanton Neighbourhood Plan.**

**Case Summary**

The application proposal seeks full planning consent for the development of 61 housing care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services as well as associated landscaping, highway works and associated infrastructure.

The development would be located on a 5.98ha plot of agricultural land accessed from Kings Lynn Road to the west. Immediately to the north of the site there are commercial buildings and Smithdon High School a Grade II\* Listed building. To the east and south of the site are agricultural fields. The site is also within close proximity to a Grade II Listed Water Tower to the south-west and the Hunstanton Conservation Area to the South-East.

The site is not within but is close to the boundary of the Area of Outstanding Natural Beauty. The site also lies within close proximity of the Wash SPA and Norfolk North Coast SPA.

The site comprises of two sites which are allocated for housing with care, general housing and employment within the Site Allocations and Development Management Policies Plan. This application would merge these two sites together to provide one cohesive development.

## Key Issues

Principle of development  
Impact Upon AONB and Visual Amenity  
Impact Upon Designated Heritage Assets  
Trees and Landscape  
Impact Upon Amenity  
Highway Impacts  
Ecology  
Infrastructure Provision.  
Affordable Housing  
Open Space  
Flood Risk and Drainage  
Contamination  
Other Material Considerations

### Recommendation:

A) **APPROVE** subject to conditions and the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment within 4 months of the date of this committee resolution.

B) In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be **REFUSED** due to the failure to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment

## THE APPLICATION

The site lies mainly in an area designated as Countryside according to Local Plan Proposals Maps for Hunstanton.

The site has been identified as preferred sites in the Site Allocations and Development Management Policies Document as Policy F2.3 and F2.5 Hunstanton – Land south of Hunstanton Commercial Park.

The application site comprises a 5.98ha parcel of arable farmland (classified as Grade 3) outside but adjoining the existing built up area of Hunstanton to the east of the town.

To the east the site is bounded by further arable farmland beyond which is the boundary of the Grade II listed Hunstanton Hall Park and Garden and North Coast Area of Outstanding Natural Beauty (AONB).

To the north is Hunstanton Commercial Park which comprises four buildings. Also to the north are playing fields associated with the Grade II\* listed Smithdon High School and Grade II\* listed gymnasium. There is further arable farmland located to the south. To the south-west is the Grade II listed Redgate water tower. To the south-east is Hunstanton Chapel (Chapel of St Andrew) which is a scheduled monument and listed Grade II\*.

To the west the site is bounded by Kings Lynn Road (the A149) which leads from Kings Lynn (some 20km in distance to the south) and extends along the North Norfolk coast. Beyond

Kings Lynn Road to the west is existing residential development largely characterised by detached single and some two storey buildings.

The application site itself lies entirely within Flood Zone 1, which is classified as having a low probability of flooding. The site does not lie within a Conservation Area nor is it the subject of a Tree Preservation Order (TPO). Similarly, there are no statutory or non-statutory designated sites within the site. The site lies within close proximity to the Wash Special Protection Area and the North Norfolk Coast Special Protection Area. The boundary of the site is well defined by existing hedges.

The submitted plans show a singular access point from Kings Lynn Road to the West which leads into the site and forms a 'loop' taking vehicles in and around the site and leading then back onto Kings Lynn Road. The care apartments would be located on entry into the site and would be highly visible from Kings Lynn Road. A strip of landscaping is proposed along the western boundary of the apartments creating a form of visual buffer between it and Kings Lynn Road. The apartments comprise a large 'T' shaped three storey building with associated communal gardens located further within the site to the south-east of the apartment building. There would be an allocated parking area for this block which would also be accessed from the 'loop' road to the east.

Within the 'loop' road there would be large area of open space as well as a small number of residential dwellings for which would be for private ownership. Most of the other residential accommodation including the care bungalows would be arranged around the outside of the 'loop' road. All of the dwellings would have their own rear garden and would have access to parking. Additional areas of soft landscaping would be provided around the periphery of the site.

As previously discussed, the development would comprise 61 care apartments, 39 care ready bungalows and 60 residential dwellings. The bungalows would either be detached or semi-detached and several of the bungalows would be chalet style with dormers to the roof providing additional accommodation at roof level. In addition to the bungalows there would be a number of detached and semi-detached dwellings all designed in a traditional style.

It is proposed that the quantum of residential development would be as follows:-

Care apartments.

50 x 1 bed  
11 x 2 bed  
Total: 61 (all affordable)

Care ready bungalows (open market)

26 x 2 bed  
5 x 3 bed  
Total: 31

Care ready bungalows (affordable)

8 x 1 bed  
Total: 8

Dwellings (open market)

4 x 2 bed

21 x 3 bed  
23 x 4 bed  
Total: 48

#### Dwellings (Affordable)

4 x 1 bed  
4 x 2 bed  
4 x 3 bed  
Total: 12

A total of 81 units across the entire site would be affordable (50%) and a total of 20 units across the dwellings and care ready bungalows would be affordable (20%).

Internally the block comprising the 61 care apartments would include onsite staff to assist in personal care, general support and social integration as well as the provision of facilities such as a cafe and hair salon. With respect the care bungalows they have been arranged internally to provide the facilities and adaptable space to support the needs of more vulnerable residents allowing them to live as independently as possible.

### **SUPPORTING CASE**

The applicant's Agent has provided a supporting statement with the application as follows:-

*'The Extra care housing (ECH) scheme we propose to develop at Kings Lynn Road Hunstanton, fits the health & social care policy requirements being promoted through the Norfolk County Council 'Promoting Independence Programme' combining self-contained apartments with access to 24/7 domiciliary personal care and support services.*

*This provision is deemed essential to early intervention preventing older people being admitted into institutional care and sustaining health and social care services across the County. The County council are investing capital grant to support the delivery of Extra care housing by Registered Providers through an 'Invest to Save' policy approved by Norfolk County Council Executive.*

*It is important to recognise that Extra care housing is a completely different model to registered residential care home provision, where the important distinction is that occupants do not have any tenure rights in residential care as they occupy under licence and not an assured tenancy as ECH and the care is registered to the building and not to the individual resident under a personal community based domiciliary care service contract as it is in Extra care housing.*

*The physical form of the Extra care housing scheme is vital to supporting the right environment for people to live and age well in their own home. The accommodation and facilities are designed to work together in harmony under the one roof, wrapping around the residents to create a safe, secure, and engaging environment. Promoting ease of access to facilities and visiting neighbours without the need to go into the outdoors, maximises social interaction, prevents isolation and offers a true sense of community for those most vulnerable. Residents living in ECH often experience improved health, mobility and cognitive function when moving into Extra care housing schemes from their own individual homes in the wider community.*

*The economics of developing specialist housing such as Extra care and Care ready homes are substantially different from that of 'general needs housing' and 'age restricted sheltered*



*housing' by which we mean conventional/mainstream market housing not aimed at a particular demographic customer group with specific personal care need.*

*Care services are sited in the ECH scheme with a staff member on site to respond in an emergency 24/7 and it is only possible to provide this level of service to the residents of the Extra care scheme because the member of staff is safe as a loan worker in the one building. The occupation of the apartments is age restricted to 55 and over. However, in exceptional circumstances the panel of multi-disciplinary officers from the landlord, social care and housing may deem it suitable to allocate an apartment to an adult living with limiting health condition who would benefit from the safe and supportive environment ECH delivers. For these reasons ECH is described nationally and recognised by central government policies as a true replacement for residential care.*

*Build costs are higher than for conventional housing as extra care housing is built with specific design requirements to suit the needs of older and vulnerable people. The principal difference being the extent of communal space, giving opportunity for social time and staff accommodation to ensure direct access to personal care and support services. The provision of essential infrastructure such as lifts to enable access to each floor, high quality fire prevention and detection, digital hardwiring throughout the building and communal facilities to support safe and meaningful occupation, all results in service charges, which are only affordable to those on low income if this cost is spread across a critical mass of a min of 60.*

*To split the ECH over three blocks, as the outline consent indicated, each block would need its own plant room, sprinkler tanks, warden call, lift and digital platform, leading to unnecessary cost due to replication of equipment and ancillary space, especially in a world where technology becomes ever more relevant thus plant rooms become larger.*

*The siting of communal facilities such as the activity space and lounge and the catering kitchen, servicing the café/bistro which is an essential component of ECH, because it promotes good nutrition and hydration and is proven the best opportunity for older people to socially interact, would be discriminative to those not living in the block it was situated if only in one building as access for the customers not in that building becomes more difficult and less appealing, therefore less likely to be used and the benefits that extra care brings in terms of creating a community and combating loneliness would decrease.*

*In addition, splitting Extra care housing into separate smaller blocks unnecessarily complicates the security for residents and staff, which is very relevant to customers and families alike particularly when dementia gives rise to wandering or life limiting conditions require a speedy response. The care costs would increase as customers in different buildings means carers would spend more time moving themselves and equipment between buildings and or additional staff would be required to provide the 24/7 emergency response all vital to keeping people safe at home.*

*In conclusion the cost of the development would be unviable in terms of both physical delivery and more importantly the provision of such high-quality specialist housing and care services to support people to live in ECH, in a home of their own until end of life, unless built under the one roof with a minimum of 60 apartments sharing the running cost. Such economies of scale provide the only model which makes the cost of staffing and operating such schemes workable. The alternative would be much higher weekly charges for customers.*

*PfP Living Plus do not believe that an affordable high-quality Extra care housing service could be delivered in a three-block solution and would not support such a scheme. Years of operational experience prove that an extra care development requires a minimum of 60 units*

*under a single roof to be economically viable and this model is proven and approved for investment by both their Executive board, Homes England and Norfolk County Council who have all committed ring-fenced funds into this proposed Extra care scheme at Hunstanton.*

*In addition to the rationale for the massing of the Extra care housing building, PfP Living Plus and Radis are working with health & social care to provide a community based housing, health, wellbeing, care and support service which will be delivered by Places for People Living Plus, Housing and Wellbeing Coordinator and Radis health and wellbeing managers to recruit community based health and wellbeing workers who will be based in the Extra care building to respond to local residents care needs living in the Later Living Care Ready bungalows on the development and residents living across Hunstanton, offering individual person centred care and support packages. This level of service provision is again only financially viable because of the scale of static service hours the ECH scheme provides the operators.*

*And finally the location of the facilities leading from the main entrance of the Extra care housing building is intentionally placed to outward face and encourage use of the wider range of facilities and services by the local community, families, friends and informal carers and this community space, a key feature of Extra care in the reduction of social isolation integration and is a very important characteristic of this service.*

*We hope this statement provides insight and evidence to the reasoning for the built form of the scheme and offers reassurance to officers and members of our sincere intention to high quality sustainable specialist accommodation and services for local people in Hunstanton.'*

## **PLANNING HISTORY**

Outline application ref: 16/00084/OM was approved on 9<sup>th</sup> February 2017 for a care home, up to 60 housing with care units and approximately 60 new dwellings with landscaping and vehicular access.

This application was not implemented and differed from this existing application for the follows reasons:-

- The application sought outline permission with respect to the 'means of access'. All other matters were reserved.
- The development included a care home.
- The number of units proposed was less than this proposal.
- Residential units were arranged differently within the site.

There are a number of similarities between the approved outline application and this current proposal, albeit the previous application included only indicative plans which could have been subject to change.

## **RESPONSE TO CONSULTATION**

**Hunstanton Town Council: SUPPORT** the application.

**Old Hunstanton Parish Council: NO OBJECTION**

**Anglian Water: NO OBJECTION** subject to a number of informatives to be included on the decision notice. With respect to surface water disposal recommended that the Lead Local Flood Authority and the Environment Agency be consulted.

**Environment Agency:** No comments received.

**Lead Local Flood Authority:** **NO OBJECTION** subject to safeguarding conditions.

**Kings Lynn Internal Drainage Board:** **NO OBJECTION**

**Water Management Alliance:** Advisory.

**Norfolk and Waveney Integrated Care System:**

*'In line with the Government's presumption for the planning system to deliver sustainable development and specific advice within the National Planning Policy Framework and the CIL (Community Infrastructure Levy) Regulations, which provide for development contributions to be secured to mitigate a development's impact, the ICS would typically suggest that healthcare contributions should be sought to contribute to the provision of sustainable healthcare services in the area, particularly for the additional residents generated by development growth.*

*This development would give rise to a need for improvements to capacity, which, in line with the ICS estates strategy, would primarily come from either Improvements/extension of existing infrastructure or the building of a new facility. It will also give rise to increased investment requirements within our acute, community and mental healthcare settings, where the investment will be required to provide and develop functionally suitable facilities for patients, providing the required clinical space, beds and floorspace to manage the increased demand.*

*The ICS Estates Workstream and partner organisations do not have funding to support development growth; therefore, in order to effectively mitigate development impact and maintain sustainable healthcare services, contributions from CIL will be required to help mitigate the impact of this development on the local healthcare provision and services. 14. Assuming the above concerns and requests are considered in conjunction with the current application process, the ICS Estates workstream would **not wish to raise an objection to the proposed development**'.*

**Housing Enabling Officer:** **NO OBJECTION** It is considered that the layout and quantum of development is acceptable.

**CSNN:** **NO OBJECTION** subject to safeguarding conditions and support from Environmental Quality Officer.

**Tree Officer:** **NO OBJECTION** subject to conditions ensuring that the development is completed in accordance with the landscaping plan and Arboricultural Impact Assessment.

**Greenspace Officer:** **NO OBJECTION** subject to condition with respect to the submission of an updated landscaping plan.

**Environmental Quality:** **NO OBJECTION** subject to safeguarding contamination conditions and EV Charging.

**Conservation Officer:** **NO OBJECTION** subject to conditions (amended scheme). The submitted site layout plan shown in drawing 6357 P19 and DR-A-0505 and the elevations for the care home shown in drawing number EC-A-03 are the result of discussions between the conservation team and the applicant. The elevations of the care home have been broken up, and while not providing full separation between blocks, the elevation treatment is such that it

adds interest to what was previously a flat façade. The site layout plan provides more of a buffer space between the development and the grade II\* listed Smithdon High School buildings. While a degree of visibility may still be possible, the harm of this to the setting of the buildings and the ethos of the Smithson's design is partly mitigated by the additional buffer space between the school and the development.

High quality materials for the care home block will be key to the success of the design.

While there is still a medium level of less than substantial harm to the setting of Smithdon High School through this proposal, it is an allocated site within the local plan and the applicant has worked with us to mitigate this harm as far as practicable at this late stage in the process. We therefore do not object to this proposal.

Please condition materials, joinery details, sample panels, vents, ducts, flues and services for the care home block and the bungalows and landscaping details for the site.

**Historic England:** Raise **OBJECTIONS/CONCERNS** (refer to main body of the report).

**Natural England:** **NO OBJECTION** subject to appropriate mitigation being secured as follows:-

*'In order to mitigate these adverse effects and make the development acceptable, the following mitigation options should be secured:*

- *Financial contribution for the Norfolk Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy (GIRAMS). A tariff of £185.93 per new dwelling is required as mitigation for recreational disturbance.*
- *Onsite Green Infrastructure relevant to the scale of the proposal. This includes public open space, walking routes and distribution of advisory leaflets in the property sale packs. We advise that an appropriate planning condition or obligation is attached to any planning permission to secure these measures'.*

**Norfolk Fire and Rescue Service:** NO OBJECTION, subject to compliance with Building Regulations requirements. It is noted that they have not commented on the most recent iteration of the plans.

**Norfolk Constabulary:** Raise several concerns with the design and layout of the development as follows:-

- A change in road surface or obvious 'symbolic barrier' to give the impression that the area beyond it private.
- There should be some form of barrier or defensible space between the ends of houses and areas of public open space.
- There are a number of blank elevations and windows should be included to create additional surveillance.
- A resident gate should be installed around the care apartment block.
- There will be a number of unobserved parking spaces and driveways.
- CCTV and light should be included in the scheme.
- The location of reception areas for the care apartments should be re-considered.

**NCC Highways:** **NO OBJECTION** subject to safeguarding conditions including detailed road plans, visibility splays, construction traffic management plan (including construction parking) and off site highways works.

**Historic Environment Officer: NO OBJECTION** subject to archaeological investigation and remediation.

**Waste and Recycling Officer: NO OBJECTION**

**Norfolk Coast Partnership:** No comments received.

**Norfolk County Council Planning Obligations:** There is a need for additional school places as a result of the development. It is expected that the funding for additional places, if necessary, would be through the Community Infrastructure Levy (CIL). A library contribution of 4,500 (based on £75per dwelling) will be required. This contribution will be put towards increasing the stock of books at Hunstanton Library. Norfolk Fire Services have requested that two fire hydrants be provided on site and this is secured by condition.

## **REPRESENTATIONS**

**ELEVEN** representations have been received, **7 OBJECTING** to the proposed development and **4 NEUTRAL** comments raising some queries with respect to the proposal. The objections are as follows:-

- The development would result in overlooking during construction of the development leading to security issues.
- The development includes only a single point of access into and out of the site on/from the A149.
- The new care units should be available to local people.
- There will be a lack of suitable infrastructure such as school places and medical facilities to support the development.
- The development will add to the existing congestion on the A149.
- The development will add to the existing congestion on the A149.
- There will be an increase in noise and air pollution.
- No dedicated cycle path is proposed.
- Access into adjoining sites will be hampered by the development.
- The development will have an impact upon the AONB by way of increased lighting.
- The site is in an unsustainable location due to the lack of public transport.
- Issues around the management of the public open spaces.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09**- Housing Distribution

**CS11**- Transport

**CS12** - Environmental Assets

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

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

**DM2-** Development Boundaries

**DM15** -Environment, Design and Amenity

**DM16-** Provision of Recreational Open Space

**DM17-**Parking Provision in New Development

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

### **NEIGHBOURHOOD PLAN POLICIES:**

**J3-** Open spaces, And Local Green Spaces

**K1-**Size and Mix of Houses

**K2-**Design, Style and Materials

**K3-**Affordable/shared ownership homes

**K4-**Parking provision

**K5 – Off road parking**

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance:

### **PLANNING CONSIDERATIONS**

The main considerations are:

- Principle of Development
- Impact Upon AONB and Visual Amenity
- Impact Upon Designated Heritage
- Trees and Landscape
- Impact Upon Amenity
- Highways Impacts
- Ecology
- Infrastructure Provision
- Affordable Housing
- Open Space
- Flood Risk and Drainage
- Contamination
- Other material considerations.

## Principle of Development

The application site lies within an area designated as countryside but lies adjacent to the development boundary of Hunstanton. Hunstanton is classified as a Main Town in the settlement hierarchy as set out under Policy CS02 of the Borough Council of King's Lynn and West Norfolk Core Strategy 2011.

The site covers two of the preferred sites (known as F2.3 and F2.5) in the Council's Site Allocations and Development Management Policies.

The area immediately due south of the commercial park is covered by Policy F2.5 Hunstanton - Land south of Hunstanton Commercial Park, and is identified for employment use. The site to the east and south of F2.5 is covered by Policy F2.3 - Hunstanton - Land south of Hunstanton Commercial Park, and has been "allocated" for 50 dwellings made up of market housing, affordable housing and housing with care.

Development will be subject to compliance with the following policies adopted through the SADMP:-

*'Policy F2.5 Hunstanton - Land south of Hunstanton Commercial Park*

*Land south of Hunstanton Commercial Park Land amounting to 1 hectare is and identified on the Policies Map is allocated for employment use, subject to the following:*

- 1. A financial contribution for any upgrades or additional provision in terms of water supply, sewerage, highways etc. necessary to serve the development;*
- 2. The site overlies a Groundwater Vulnerability Zone. Accordingly, the developer should address any risks to controlled waters from contamination at the site, following the requirements of the National Planning Policy Framework (NPPF) and the Environment Agency's 'Guiding Principles for Land Contamination'.*

*'Policy F2.3 Hunstanton - Land south of Hunstanton Commercial Park*

*Land south of Hunstanton Commercial Park amounting to 5 hectares, as identified on the Policies Map, is allocated principally for housing with care, with a supplementary allocation of general purpose market housing to aid viability.*

*The mixed uses comprising –*

- At least 60 housing with care units ;*
- Approximately 50 general housing units;*
- Affordable housing requirements as per policy CS09 of the Core Strategy. This will apply across the whole site.*

*Development of the site must be as part of a comprehensive scheme, which must be shown to bring forward the housing with care units. The final housing numbers are to be determined at the planning application stage and be informed by a design-led master planned approach.*

*The proximity of the employment allocation F2.5, and the potential for a care home on part (or all) of that allocation could support an interdependency between this and the housing with care element.*

*Development will be subject to compliance with the following:*

1. *Provision of safe vehicular and pedestrian access (to be from the A149) including a new crossing point (to serve proposals F2.3 and F2.5) and access to sustainable transport links;*
2. *Submission of details of layout, phasing, and appearance;*
3. *Incorporation of a high quality landscaping scheme including the retention and enhancement of established hedgerow and the planting of new shelter belts to the north, east and southern boundaries to minimise the impact of the development on the setting of Grade II\* listed Smithdon High School and gym, Grade II\* listed and scheduled remains of St Andrew's Chapel and the North Norfolk Coast Area of Outstanding Natural Beauty;*
4. *Submission of details showing how sustainable drainage measures will integrate with the design of the development and how the drainage system will contribute to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission;*
5. *Submission of a Heritage Asset Statement that establishes that there will be no negative impact on Heritage Assets in the locality, accompanied by an Archaeological Field Evaluation of the site, if required;*
6. *Provision of affordable housing on site, or an equivalent financial contribution, to meet current standards.*
7. *Outdoor play/recreation space of at least 0.28 ha (based on a population of 233, assuming 2.33 persons per dwelling, and a requirement of 2.4ha per 1,000 persons;*
8. *Enhanced informal recreational provision on, or in the vicinity of the allocated site to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on Habitats Regulations protected nature conservation sites in the wider area. This provision may consist of some combination of*
  - *informal open space (over and above the Council's normal standards for play space);*
  - *pedestrian routes which provide a variety of terrain, routes and links to greenspace and/or the wider footpath network;*
  - *a contribution to implementation of the Borough's Green Infrastructure Strategy as it relates to Hunstanton, or other greenspace provision or management in the wider area within which the site is located.*
9. *Provision of a programme of publicity aimed at both occupants of the development and other residents of Hunstanton, highlighting the opportunities for recreation (especially dog walking) in the vicinity avoiding areas within the Wash Special Protection Area and the North Norfolk Coast Special Protection Area, and the sensitivity of those areas to dog walking and other recreation.*
10. *Submission of a project level habitats regulations assessment, with particular regard to the potential for indirect impacts through recreational disturbance on the Wash Special Protection Area and the North Norfolk Coast Special Protection Area.*
11. *A financial contribution for any upgrades or additional provision in terms of water supply, sewerage, schools, highways etc. necessary to serve the development.'*

Notes to the adopted SADMP document clarify that housing with care is purpose built self-contained housing with facilities and services such as 24/7 on site care and facilities, that assists residents to live independently. There is an expectation that in line with good practice the scheme will include the provision of community facilities i.e. restaurant, retail (hairdressers/corner shop) and opportunities for social interaction.

Also that the affordable housing requirement will apply to the housing with care and the general purpose market housing.

This application seeks approval for the development of 61 housing with care apartments, 39 care ready bungalows and 60 residential dwellings together with community facilities and services and associated landscaping, highway works and associated infrastructure. A total of 81 units would be affordable representing 50% of the housing provision across the whole



site. Excluding the care apartment block the affordable housing provision would be 20 units (20%) on site provision. A 20% provision is in accordance with the requirements of Policy CS09 of the Core Strategy.

It is considered that the development would broadly be in accordance with the site allocation in terms of the number of units provided. Although it would be slightly higher than the level recommended in the plan it is noted that outline planning permission was granted for a greater provision of housing than that identified in the site allocation under the reference 16/00084/OM in 2016 (refer to planning history). As such the principle of providing more than 110 units on the site has already been established.

The care apartments would be located on the site designated under F2.5 which is the employment allocation. It is considered that the care apartments do not constitute an employment use as defined by Classes B1, B2 and B8 of the Town and Country Planning (Use Classes) Order 1987 (as amended). However the care apartments would include onsite staff to assist in personal care, general support and social integration as well as the provision of facilities such as a cafe and hair salon. As such it is considered that the care apartments would indeed involve the creation of an employment generating use and as such, on balance, would be in accordance with the aims of the site allocation.

It is considered that the site would be comprehensively re-developed and has been informed by a design-led master planned approach with due regard taken as to the detailed design and layout of the proposed dwellings ensuring that there is adequate internal and external amenity with an appropriate level of parking and open spaces.

Large areas of soft landscaping have been provided as part of the scheme which would enhance the visual amenity of the site as well as providing opportunities for outdoor leisure and recreational activities. The development also seeks to retain any existing well established landscaping features and to protect the setting of nearby heritage assets such as the Grade II\* listed Smithdon High School and Gym and the Grade II\* Listed remains of St Andrews's Chapel.

Parking has been planned so that it does not impede upon the level of light or outlook serving the proposed dwellings and the vehicular access route would adequately serve the entire site. Internally the care apartments and bungalows have been designed in order to ensure that they can meet the changing needs and requirements of their residents in the short and long term and overall the units proposed would be of a traditional design which would be in keeping with the local area.

Furthermore due regard has been paid to the protection of any protected habitats and the future management and maintenance sustainable urban drainage.

The application has been submitted with a Habitats Regulation Assessment and a Geotechnical ground investigation report.

Heads of terms have been provided for the S106 which will be required to secure affordable housing contributions. Other Matters to be secured in the S106 include the final Sustainable Urban Drainage System mechanism, management, and maintenance thereof, securing the delivery of open space and the management thereof, and other county contributions.

In light of the above and with the site being a preferred site within the adopted SADMP, it is considered that the proposal would comply with the NPPFs presumption in favour of sustainable development and is acceptable in principle.

## Impact Upon AONB and Visual Amenity

Paragraph 115 of the NPPF requires great weight to be given to conserving landscape and scenic beauty in Areas of Outstanding Natural Beauty (AONB) which have the highest status of protection in relation to landscape and scenic beauty.

The site is approximately 460m west of the boundary of the Norfolk Coast (AONB) and in order to assess any principle impact upon the AONB of developing the site, a Landscape Visual Impact Assessment (LVIA), has accompanied the planning application.

The application site and wider landscape is a fair representation of rolling open farmland area, I2: Ringstead Downs in the Landscape Character Assessment. The Rolling Landscape is characterised by large landscape, with an overriding sense of openness, wide open skies, medium to large field units. Hawthorn hedges demarcate the field boundaries of such field units.

The site is currently in agricultural use and there are no existing structures or hard surfacing located within the site.

Adjacent to the Site's northern boundary, are Hunstanton Commercial Park and school playing fields forming part of the Smithdon High School. Hunstanton Park is a Registered Park and Garden lying to the north east of the site within the Norfolk Coast Area of Outstanding Natural Beauty (AONB), being the most westerly edge of the AONB, approximately 460m away and forms a well wooded mature backdrop containing a number of easterly views.

The form and character of the development in the locality comprises of single and two storey detached properties that were constructed early C20th that lie immediately to the west of the site (opposite side of King's Lynn Road). Development to the north within the commercial park is of four individual, single storey blocks.

Most of the development (the care bungalows and private housing) would comprise single, 1.5, 2 or 3 storey detached or semi-detached housing which would be compatible with the density and nature of the existing residential development in the local vicinity.

The proposed development has been considered in terms of scale and its relationship to the surrounding area. Scale has also been used to reduce the developments impact on the existing surrounding properties. For example single and 1.5 storey dwellings have been intentionally positioned along the northern boundary to minimise impacting the Grade II\* Listed building Smithdon High School.

The 3 storey housing and care apartments building are situated next to the existing Hunstanton Commercial Park to integrate the massing with the existing warehouse units. The remaining units have been set back from King's Lynn Road to mirror the surrounding existing residential area and a landscaped buffer has been provided between Kings Lynn Road and the care apartments building in order to soften its appearance when viewed from the existing residential area opposite.

The proposed materials and architectural style have been informed by the surrounding vernacular, ensuring that the development is in keeping with its context.

Multi facing brickwork and brick detailing has been proposed which provides interest to the development. The use of accent detailing such as corbel detailing, voussoir course and soldier course to add interest and help break up the mass of the units. Simple stepped brick chimneys have been proposed in key locations. It is considered that these details will ensure

that the proposed housing of a traditional appearance in keeping with the character of the area.

Large windows with simple fenestration are used throughout the development which will bring generous amounts of natural daylight into the internal spaces.

It is proposed that soft landscaping will be used to the centre and periphery of the site and to the frontages of the dwellings. It is considered that this would help to soften the overall feel of the development. Pockets of soft landscaping within the scheme are proposed to help break up the massing of the proposed dwellings as well as the care apartment building. Dwellings have been orientated to overlook these spaces. Where possible it is proposed to retain and enhance the existing hedgerows, adding a sense of maturity to the development. Trees and hedgerows have been proposed along the boundaries.

The Landscape Strategy and Arboricultural Impact Assessment concludes on balance the proposals for the site are considered to have a Moderate Adverse Effect on the landscape resource and local landscape character, however, various mitigation measures are recommended which respond to the Council's guidelines and take on board the aims of the Green Infrastructure Strategy and Landscape Character Assessment. These measures include the provision of new soft edge planting to the boundaries, the creation of a community orchard, new woodland areas, areas of open space and recreation and the creation of orbital walks.

The Coastal Partnership Manager has been consulted on this application and has not provided the LPA with any comments. However in assessing application ref:16/00084/OM the Coastal Partnership Manager concluded that if condition 3 of the site allocation Policy in the SADMP is properly observed and monitored then the impacts upon the setting of the AONB landscape would be relatively minor.

Overall it is considered that the development would be in accordance with paragraph 115 of the National Planning Policy Framework (NPPF) and Policies CS06, CS08 and CS12 of the Core Strategy 2011 and Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 and K1 and K2 of the Neighbourhood Plan.

### **Impact Upon Designated Heritage**

The National Planning Policy Framework (NPPF) states that the purpose of the planning system is to achieve sustainable development and that protection and enhancement of the historic environment is an overarching objective of sustainable development (paragraphs 7 and 8).

Local planning authorities should require the significance of any designated heritage assets affected by a development proposal to be described to a level of detail proportionate to their importance and sufficient to understand the potential impact (paragraph 194). You should take account of the available evidence and seek to avoid or minimise any conflict between a proposal and a heritage asset's conservation (paragraph 195).

Great weight should be given to an asset's conservation and the more important the asset, the greater that weight should be (paragraph 199). This great weight should be given irrespective of the degree of potential harm. Any harm to or loss of significance of a designated heritage asset (including from development in its setting) should require clear and convincing justification (paragraph 200), and where a development proposal will lead to less than substantial harm, this should be weighed against any public benefits of the proposal (paragraph 202).

Local planning authorities should look for opportunities for new development 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 should be treated favourably (paragraph 206).

The site is adjacent to Smithdon High School which is Grade II\* listed. Also to the south east, are the scheduled remains of St Andrew's Chapel. The water tower to the south west is a Grade II\* listed building.

The application has been accompanied by a Heritage Statement produced by Turley Heritage, which assesses the impact of the proposal upon designated heritage assets.

#### *Original submission*

Historic England has raised significant concerns about the impact of the proposed development on the historic environment. Historic England state that the proposed development would harm the significance of the heritage assets as set out above through suburban encroachment into their important rural setting. As such Historic England have raised in principle objections and have recommended a significantly reduced scheme.

Historic England state that Smithdon High School and Gymnasium is a highly influential expression of modernism, it was part of the great project of postwar building and educational reform. The buildings display innovative construction techniques, a rigorous aesthetic, and novel design for a new type of school.

The school is bordered to the north and west by roads, but to the south and east the playing fields are contiguous with the rolling agricultural landscape beyond. This is the school's original setting, largely preserved.

A central theme of the Smithson's socially rooted architecture was a concern with community, belonging, and identification with place. Their work demonstrates a rejection of architecture in isolation. Their designs respond to and interact with their surroundings, with a clear interest in the relationship between built form and the rural landscape.

At Smithdon the architects sought visual unity and flow between internal and external spaces. The internal arrangement of classrooms elevated at first floor offered a new take on circulation, maximised natural light, and gave students extensive views out from the south range to the rural landscape beyond. These views from the school towards the rural landscape to the south were noted in early reviews of the building.

The original curriculum included agriculture and animal husbandry, reflecting the predominantly agrarian character of the area and community the school was designed for. The school was later renamed after the Smithdon Hundred, emphasising a changing relationship but ongoing connection to the local agricultural landscape. The continued importance of the local landscape in the education of the next generation of the community is emphasised on the school's website today.

Historic England considers the undeveloped agricultural land beyond the school grounds to positively contribute to and better reveal aspects of the school's historic significance. The few buildings of the commercial park are a minor intrusion, but the agricultural landscape remains dominant and contiguous with the school grounds to the south and east.

Historic England notes that the development site lies south of the school grounds, comprising the southern part of the large single field in which the school was built. The proposed site layout would introduce development along the full length of the school's south boundary. This would terminate the remaining connection between the school and

landscape to the south, and in Historic England's opinion would represent a major intrusion into those views, particularly from the elevated first floor classrooms.

Historic England state that the height and massing of the care apartment block may be readily apparent from the school grounds, and the extent to which this would impose has in their opinion not been considered in the visual impact assessment. The proposal would enclose the school on three sides with suburban development, fundamentally altering the character of its original setting.

With respect to the Church of St Andrew Historic England note that it is also a Scheduled Monument, as well as a Grade II\* listed building. It is included on the Heritage at Risk Register. Ruined with walls to eaves, the single cell medieval buildings dates to the 13<sup>th</sup> and 14<sup>th</sup> centuries. It is the former parish church and only visible remains of the deserted medieval settlement of Ringstead Parva. Likely abandoned after the plague (1349), the building continued in use as a chapel until the 16<sup>th</sup> century and later as a barn into the 20<sup>th</sup> century.

The chapel stands alone within the rolling arable landscape. Historic England states that there is a sense of remoteness in its setting, despite the presence of the A149 and Hunstanton to the west. It stands on the upper slopes of a shallow valley approximately 350 metres south-east of the application site. The south and east elevations carry notable architectural features, while the north elevation is blank. Views of these elevations look onwards the site.

Historic England states that the chapel has high historic, evidential, and aesthetic values and is designated in recognition of its important role in our understanding of medieval settlement in this part of Norfolk. Its isolated and solitary context contributes to the significance of the site and is an important consideration in our understanding of its setting.

Historic England disagrees with the Heritage Statement's conclusion that finds that the Site plays little direct role in the experience of the chapel. It also emphasises the location of the chapel within the Le Strange Estate, where it is not publicly accessible.

It is considered by Historic England that the proposed development would extend the suburban development of Hunstanton into the rural landscape east of the A149, 'encroaching on the chapel, intruding into views, and detracting from the rural, solitary, characteristics of its evocative setting'.

With respect to the site allocation Historic England highlights that they suggested that alternative sites for the expansion of Hunstanton should be identified and commented on other sites which would in their view not have such an adverse effect on heritage assets.

Historic England concluded as follows:-

*While we do not support the principle of development at the application site, we consider that the level of harm could be greatly reduced in a revised scheme. We recognise that there would be public benefits associated with the provision of care facilities. We encourage the identification of alternative development options that would better conserve the heritage assets and deliver public benefits in a more sustainable way.*

*In determining this application, you should be satisfied that there is clear and convincing justification for the harm and that it is outweighed by public benefits, taking into account the importance of the assets as well as the scale of the impact'.*

*Amended plans*

Planning Committee  
24 April 2023

Historic England were consulted on the amended scheme which includes the revised site plan and alterations to the elevation of the care home. It is noted that the revised site plan would provide a marginal buffer to the Grade II\* Listed school and gymnasium and this would lessen the impact of the development on its surroundings. However, it is still considered that the development would suburbanise and enclose the setting of the school along with that of St Andrew's Chapel. In terms of the amendments to the elevations of the care home, they would better articulate the mass and break up the flat façade. However this does not overcome the fundamental concerns regarding the development and its scale. Again the position is emphasised that the development would cause less than substantial harm to the designated heritage assets and that the level of harm could be greatly reduced by reducing the amount and scale of the development and increase the open scape closest to the heritage assets. Notwithstanding this, it is recognised that there are public benefits associated with the provision of the care facilities but they could be furthered in a more sustainable way.

The Council's Principal Conservation Officer advises that the submitted site layout plan shown in drawing 6357 P19 and DR-A-0505 and the elevations for the care home shown in drawing number EC-A-03 are the result of discussions between the conservation team and the applicant. The elevations of the care home have been broken up, and while not providing full separation between blocks, the elevation treatment is such that it adds interest to what was previously a flat façade.

The site layout plan provides more of a buffer space between the development and the grade II\* listed Smithdon High School buildings. While a degree of visibility may still be possible, the harm of this to the setting of the buildings and the ethos of the Smithson's design is partly mitigated by the additional buffer space between the school and the development.

High quality materials for the care home block will be key to the success of the design.

While there is still a medium level of less than substantial harm to the setting of Smithdon High School through this proposal, it is an allocated site within the local plan and the applicant has worked with us to mitigate this harm as far as practicable at this late stage in the process. As a result, there is no objection to the proposal.

### *Conclusion*

In line with paragraph 134 of the NPPF, where a development will lead to less than substantial harm to the significance of a designated heritage asset this harm should be weighed against the public benefit of the proposal, including its optimum viable use. The public benefit of this scheme would be in providing a care home, housing with care, affordable housing and market housing within the borough, on a allocation of the Development Plan (which has benefitted from a previous planning permission), and the contribution made to the local economy from the future residents of the development. It is therefore considered that, on balance, the benefits are therefore considered to outweigh the amount of harm caused to the significance of the designated assets. The proposal would therefore comply with the NPPF and policies CS12 and DM15 of the Development Plan.

### **Trees and Landscape**

An Arboricultural Assessment, by Hayden Consultants, has identified the need to fell a small section of low quality trees features (Hawthorn, Field Maple and Hazel) in order to be able to construct the proposed development. They are identified as British Standard Category C which are defined as low quality with an estimated remaining life expectancy of at least 10 years or young trees with a stem.

Otherwise, the alignment of proposed structures will not encroach within the Root Protection Areas of any trees that are to be retained. All trees and landscape features that are to remain as part of the development should suffer no structural damage provided that the findings within the report are complied with in full.

The Arboricultural Officer has no principal objection to the proposal but would require details by way of condition in respect to a method statement and formal tree protection plan and a detailed landscaping scheme. Appropriate conditions have been recommended.

As such it is considered that the development would be in accordance with Policies CS08, CS12 and DM15 of the Development Plan

### **Impact Upon Amenity**

There are no residential neighbours that share a common boundary with the site and those opposite are on the other side of King's Lynn Road and also separated by Collingwood Road.

An acoustic report by Adrian James acoustics ltd, was carried out to assess whether the standard of amenity experienced by the future occupiers of the dwellings are acceptable and not experiencing unacceptable levels noise from King's Lynn Road traffic movement. The Environment Health CSNN team have reviewed the acoustic report and are satisfied with its findings subject to safeguarding conditions.

In order to limit noise, dust and smoke from any construction work experienced by the neighbours in the locality, a condition in relation to a construction management plan detailing proposed timescale and hours of construction, sound power levels of equipment, their location, and mitigation methods proposed.

It is considered that the internal layout of the proposed dwellings would be acceptable with all habitable rooms afforded an adequate level of light, outlook and privacy. It is also considered that the level of accommodation provided internally and externally would be acceptable ensuring that future occupants of the development would have an adequate level of amenity.

As such it is considered that the development would be in accordance with Policy CS08 of the Core Strategy and Policy DM15 of the adopted Site Allocations and Development Plan Policies Document.

### **Highway Impacts**

A Transport Assessment prepared by Rossi Long Consulting has been submitted with the application. The assessment demonstrates that the proposed development is located in a sustainable location and fully supports the sustainable objectives of the National Planning Policy Framework (NPPF) since:-

- the development is accessible by public transport;
- the site is within walking and cycling distance to nearby facilities and services in Hunstanton town centre; and
- the development will provide quality pedestrian links to facilitate sustainable travel.

Junction capacity analysis demonstrates that the proposed access junction on to King's Lynn Road operates well within capacity, even under the worse-case scenario of all development traffic and future growth applied to background traffic.

NCC Highways have been consulted on the application and raise no objections to the development subject to safeguarding conditions regarding detailed road plans, visibility splays, on site parking for construction workers and construction traffic management plan and off site highways works. A scheme for EV charging points will also be secured via condition.

Overall it is considered that the layout of the access arrangements and the quantum of parking provision is acceptable. The development would not result in conditions that would be prejudicial to pedestrian and highway safety and is in accordance with Policy CS11 of the Core Strategy and Policy DM17 of the Site Allocations and Development Plan Policies Document along with K4 and K5 of the Neighbourhood Plan

## Ecology

### Impact upon European Designated Sites

The application site lies approximately 1km to the east of two European designated sites, the Wash and North Norfolk Coast Special Area of Conservation (SAC) and The Wash Special Protection Area (SPA) (also referred to as Natura 2000 sites), and therefore the development has the potential to affect their inherent interest features. European Sites are afforded protection under the Conservation of Habitats and Species Regulations 2017 (as amended). At a national level The Wash is also Ramsar site and is afforded the same level of protection as a European site under the National Planning Policy Framework (2021) and is also a Site of Special Scientific Interest.

These national and international designated sites support the population of breeding and wintering wildfowl and waders. The sites also support a rich and important range of habitats.

In line with the Conservation of Habitats and Species Regulations 2017 (as amended) and point 10 of Policy F2.3, the application has been accompanied by a site specific Shadow Habitats Regulations Assessment carried out by Hopkins Ecology. This concludes that the scheme is very unlikely to have impacts on international / Nature Directives sites in isolation but that a small contribution to in-combination recreational disturbance cannot be discounted. With mitigation in the form of a tariff payment to a district-wide mitigation scheme this can be reduced to a negligible level, such that the scheme will not impact the site integrity of any international / Nature Directives sites. The Site is sufficiently distant from other designated sites for impacts to be assessed as negligible.

When taken in combination with other sites, in Hunstanton and other villages that are “allocated” for development that would affect these European designated sites, the developer will pay the Green Infrastructure & Recreational Impact Avoidance Mitigation Strategy contribution of **£185.93** per house to the Council. This will be secured in the S106 agreement. The Council’s Senior Ecologist is satisfied that the Shadow Habitats Regulations Assessment is fully acceptable and can be adopted by the Council.

Natural England has no objection to the proposal in respect of the impact upon the Wash and Norfolk Coast Special Area of protection and concurs with the applicant’s Habitat Regulations Assessment conclusions. A scheme for providing information on dog walking routes within the locality in the interests of protecting more sensitive designated sites etc will be conditioned.

### Protected Species

The application has been supported by an Ecological Impact Assessment, also carried out by Hopkins Ecology.



The Site comprises an arable field with three lengths of boundary hedgerow. The hedgerows qualify as priority Hedgerow Habitat of Principal Importance but not as Important Hedgerows under the Hedgerow Regulations. The fourth boundary comprises a line of tall ruderal vegetation with scattered scrub.

The breeding bird surveys carried out in 2021 recorded five species of conservation concern as nesting on-Site (confirmed, possible or probable): oystercatcher (1 pair), grey partridge (1 pair), skylark (1 pair), dunnock (1 pair), and common whitethroat (2 pairs). The breeding bird species are also considered to comprise a typical assemblage of farmland and countryside species, with none considered to be rare or scarce with conservation status afforded on the basis of the extent of declines rather than actual abundances.

The wintering bird surveys of 2019-20 recorded nineteen species, and the numbers of species with conservation status was low (eleven species). The total numbers were also low (other than for a single flock of 150 woodpigeons) and likely to be typical of other farmland areas locally.

The species scoped in are therefore:

Wintering birds and breeding birds, with a small assemblage of species typical of local farmland. The breeding bird assemblage includes species of hedgerows and open fields.

- Foraging bats, as a small assemblage.
- Brown hares, with five to eight individuals noted during bird surveys.
- Hedgehogs, as transitory individuals.

The Site is considered to be of local value for habitats and species. The ecological impacts are assessed as low, and will not impact species at a local population level.

Generic recommendations for mitigation of construction are:

- Nesting birds. General site clearance of tall verge, ephemeral and any woody vegetation should avoid the nesting bird season (which runs from March to August) or otherwise be under a watching brief.

Soft landscaping is the most appropriate Site-wide enhancement, using appropriate native species and species of known wildlife value. Additional measures to be included would be bird and bat boxes and measures to allow hedgehogs to move into and between gardens, via raised garden gates or holes within fence gravel boards.

As further mitigation it is proposed that a specific area of open grassland-type habitat is created off-Site according to the Countryside Stewardship option 'AB8', to comprise a flower-rich grass margin with an annual cut. This would be at least 650m<sup>2</sup> in area and provide habitat areas for a range of farmland species, including a foraging area for skylarks and other farmland birds in spring and summer, and also a sheltering and foraging area for hares.

In summary, it is considered that there are no overriding constraints to the development of the site in terms of ecology, and that the proposed development could result in enhancements for biodiversity and nature conservation. As such the development is in accordance with Policy CS12 of the Core Strategy and Policies DM15 and DM19 of the Site Allocations and Development Plan Policies Document.

## **Infrastructure Provision and local finance considerations**

Section 70(2) of the Town and Country Planning Act 1990 provides that a LPA must have regard to a local finance consideration as far as it is material. This includes any Community Infrastructure Levy (CIL).

Although there is spare capacity within Early Education, Primary and High school levels, taking into account other developments in the area, there is no longer spare capacity within Early Education or Hunstanton Primary School.

Norfolk County Council would therefore seek Education mitigation for 5 Early Years places and 15 Primary school places towards the provision or enhancement of educational facilities because of the development.

It is expected that the funding for additional places, if necessary, would be through the Community Infrastructure Levy (CIL).

A library contribution of 4,500 (based on £75 per dwelling) will be required. This contribution will be put towards increasing the stock of books at Hunstanton Library and again would be secured via CIL.

Norfolk Fire Services have requested that two fire hydrant be provided on site and this is secured by condition.

The proposal would comply with Policy CS14 of the Core Strategy in this regard.

## **Affordable Housing**

The Planning Design and Access Statement states that 20% of the dwellings will be affordable (excluding the care apartments). Given that the provision of 20% affordable units for the site is in accordance with the Council's affordable housing policy no viability appraisal is required for this development. A S106 agreement will be provided ensuring that the affordable housing will be provided in perpetuity.

Policy F2.3 of the adopted SADMP 2016 allocated the site for at least 60 housing with care units and approximately 50 general housing units. The application proposes 61 housing with care flats and 60 general needs housing units (in line with the previously permitted scheme 16/00084/OM).

In addition, the application proposes 39 "Care Ready" bungalows, including 8 affordable homes. These bungalows are designed in accordance with Category M4(3) "wheelchair adaptable" and the S106 agreement will require the units to be constructed to meet this standard. The *Study of Demand for Specialist Retirement Housing and Accessible Housing for Older People in Norfolk (2022)*, commissioned by BCKLWN and the other local authorities in Norfolk, identified a need for an additional 1791 specialist sheltered and age-exclusive retirement homes within the borough by 2041. These homes will help to meet that need. Use of these homes will be restricted to principal homes in order to prevent their use as second homes or holiday lets.

The applicants have proposed that the 61 Care apartments Care are a fully affordable scheme and, as requested, the S106 agreement will require the land for these apartments to be transferred to a Registered Provider of Social Housing for a peppercorn (low or zero ground rent).

No objection has been raised but the Affordable Housing Team in regard to the overall design, mix of units or affordable housing provision.

The proposal complies with the NPPF and Policy CS09 of the Core Strategy 2011.

### **Open Space**

Policy DM16 of the Site Allocations and Development Management Policies states that schemes of 20 units or greater will provide 2.4ha per 1,000 population of open space which is subsequently divided into 70% for either amenity, outdoor sport, and allotments (if identified need) and 30% for suitably equipped children's play space. For development between 20-99 houses, they will be expected to meet the requirements for suitably equipped children's play space only.

It is considered that the quantum of open space provided for the development would be acceptable and broadly in accordance with Policy DM16. The Green Space Officer has been consulted on the application and raises no objection to the development subject to the following:-

- The Extensive hedging on the east and north of the development has machine access.
- Private drives/parking bays close to the hedge could block machine access, so drives should ideally be set back a tractor's width from the hedge to allow access
- The private drive alongside the central open space could be used as a footpath shortcut to cross the site.

It is considered that these details can be secured by way of condition through the provision of an updated landscaping plan for the development. A condition seeking the submission of a new landscaping plan has been recommended and overall open space provision and maintenance would be secured via the S106 agreement.

Overall it is considered that the development would be in accordance with Policy DM16 of the SADMPP..

### **Flood Risk and Drainage**

The site lies within an area designated as Flood Zone 1 according to the Council's Strategic Flood Risk Maps, however being a site in excess of 1ha in size, a flood risk assessment has been submitted with the application.

Anglian Water, Environmental Health CNN and the Lead Local Flood Authority have not objected to the application, subject to safeguarding conditions. SUDS and associated maintenance would be secured via the S106 agreement.

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

### **Contamination**

The applicant has provided a Preliminary Risk Assessment report by 4D Geo Limited dated May 2021. The report finds no significant contaminative land use on site with the nearest potential source being a chalk pit 200m to the south, but not significant to the site. The risks to receptors outlined in the reports conceptual site model are judged to be very low. The report recommends that soil samples be taken to validate and verify the absence of common contaminants.

The Environmental Quality Officer has reviewed their files and the site is not seen to be developed for the duration of their records. The surrounding landscape is largely agricultural with and industrial units to the north and residential properties to the west. In summary no objection is raised subject to compliance with safeguarding conditions in accordance with the NPPF and Policy CS12 of the Core Strategy.

### **Other Material Considerations**

Heads of Terms and details of trigger points have been submitted but the final wording of the legal documents will be progressed if permission is forthcoming.

Whilst some archaeological investigation has been undertaken, the Historic Environment Service requires that further work is undertaken in accordance with the NPPF and Policy CS12 of the Core Strategy and therefore the full safeguarding suite of conditions is recommended.

Third Party comments have been addressed within the main body of the report and it must be noted that there are no objections from statutory consultees or the Parish Councils in so far as highways, neighbour amenity or infrastructure matters. Suitable conditions can be imposed to limit any potential impacts during construction. Notwithstanding perceived infrastructure issues, it must be noted that the site is the subject of allocations within the Development Plan and has been found suitable and sustainable site on the edge of Hunstanton

### **CONCLUSION**

The site covers two of the preferred sites (known as F2.3 and F2.5) in the Council's Site Allocations and Development Management Policies Document. The proposal seeks full planning permission for the comprehensive redevelopment of the site.

The development would include 20% onsite affordable housing provision in accordance with the Council's housing policy which will be secured by way of a S106 agreement. Trigger points to ensure the delivery of the care home and housing with care elements alongside the affordable and market housing have been negotiated to a point acceptable to both parties.

The fundamental objections from Historic England were considered through the rounds of consultation during the local plan process and the Inspector into the SADMPP raised no objection to the inclusion of these allocated sites for future development. Insofar as the current amended scheme, it is noted the design of the care home has improved but this does not overcome their fundamental objection to the site itself. Notwithstanding this, Historic England does note the wider benefits of the provision of the care home. When balancing the issues raised, it is considered that the public benefit of this scheme in providing a care home, housing with care, affordable housing and market housing within the borough, and the contribution made to the local economy from the future residents of the development is considered to outweigh the amount of harm caused to the significance of the designated assets. It is considered the proposal accords with the provisions of the National Planning Policy Framework (NPPF) and the Development Plan.

It is considered that the development would be in accordance with the provisions of the Highway Authority and without detrimentally affecting adjacent neighbour's amenity and that the development would not give rise to any issues with respect to residential amenity by way of light, outlook, privacy or general noise and disturbance.

The proposal has been supported with appropriate surveys and studies in respect to ecological and geological issues that raise no principle objections from statutory consultees.

In light of the above, it is considered the proposal complies with the provisions of the NPPF and that planning permission maybe granted subject to the conditions below and the imposition of a S106 agreement.

## **RECOMMENDATION:**

### **A. APPROVE subject to the following conditions and the satisfactory completion of a S106 Agreement to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment within 4 months of the date of this committee resolution.**

1. Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

1. Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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

- KLHU-CF-ZZ-XX-DR-A-0500 P1 Site Location Plan
- KLHU-CF-ZZ-XX-DR-A-0505 P19 Coordinated Proposed Site Plan
- KLHU-CF-ZZ-XX-DR-A-0507 P7 Proposed Boundaries Plan
- KLHU-CF-ZZ-XX-DR-A-0508 P8 Proposed Materials Plan
- KLHU-CF-ZZ-XX-SA-A 0520 A3 P20 Accommodation Schedule
- KLHU-CF-ZZ-XX-DR-A-0540 P5 Type Morgan Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0541 P4 Type Aston Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0542 P4 Type Lincoln Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0543 P5 Type Jenson Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0544 P2 Type Carlton Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0545 P1 Type Lotus Variation 1 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0546 P1 Type Lotus Variation 2 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0550 P3 Type 538 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0551 P4 Type 789 House Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0552 P4 Type 829 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0553 P4 Type 897 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0554 P3 Type 982D Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0555 P5 Type 1001 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0556 P4 Type 1015v1 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0557 P3 Type 1015v2 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0558 P2 Type 1295 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0559 P2 Type 1437 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0560 P5 Type 1659 House Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0561 P4 Type 1876 Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0562 P1 Affordable Bungalow Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0563 P1 Type 1135 Plans and Elevations
- KLHU-CF-ZZ-XX-DR-A-0565 P1 Garages Plans & Elevations 1
- KLHU-CF-ZZ-XX-DR-A-0566 P1 Garages Plans & Elevations 2
- KLHU-CF-ZZ-XX-DR-A-0567 P2 Garages Plans & Elevations 3
- KLHU-CF-ZZ-XX-SA-A-0567 P2 Garages Plans & Elevations 3
- KLHU-CF-ZZ-XX-DR-A-0575 P1 Type 1015v1 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0576 P2 Type 1295 (Handed) Plans & Elevations

- KLHU-CF-ZZ-XX-DR-A-0577 P1 Type 1437 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0578 P2 Type 1659 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0579 P1 Type 1876 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0580 P3 Type Morgan (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0582 P3 Type Lincoln (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0583 P2 Type Jenson (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0585 P1 Type Lotus Variation 2 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0590 P1 Type 1015 Version 2 (Handed) Plans & Elevations
- KLHU-CF-ZZ-XX-DR-A-0591 P1 Type 1001 (Handed) Plans & Elevations
- 22001-EC-L-01-H Ground and First Floor Plans
- 22001-EC-L-02-G Second Floor and Roof Plans
- 22001-EC-V-05-C Elevations

2. Reason: For the avoidance of doubt and in the interests of proper planning.
3. Condition: No development shall take place above slab level until full details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
3. Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
4. Condition: Notwithstanding details submitted with the application, prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
4. Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
5. Condition: All hard and soft landscape works shall be carried out in accordance with the approved details. The works shall be carried out prior to the occupation or use of any part of the development or in accordance with a programme to be agreed in writing with the Local Planning Authority. Any trees or plants that within a period of 5 years from the completion of the development die, are removed or become seriously damaged or diseased, shall be replaced in the next planting season with others of similar size and species as those originally planted, unless the Local Planning Authority gives written approval to any variation.
5. Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
6. Condition: Notwithstanding details submitted with the application, no development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis

and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.

6. 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.
7. Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 6 and any addenda to that WSI covering subsequent phases of mitigation.
7. 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.
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 archaeological written scheme of investigation approved under condition 6 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
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 first use, details of a suitable electric vehicle charging scheme shall be submitted to and approved by the LPA. The scheme shall be implemented in accordance with the details agreed prior to the first use of the development hereby permitted.
9. Reason: To ensure the charging is safe, accessible and convenient in accordance with section 112(a) of the NPPF, emerging local policy LP14/18 and the NCC's parking standards (July 2022).
10. Condition: No building or other operation shall commence on site in connection with the development hereby approved (including any tree felling, tree pruning, engineering work, soil moving, temporary access construction and/or widening or any operations involving the use of motorised vehicles) until a Arboricultural Method Statement and Tree Protection Plan (that outlines step-by step-instructions relating to tree works and tree protection measures to be implemented during the construction process) has been submitted to and approved in writing by the Local Planning Authority.
10. Reason: In the interests of the amenities of the locality in accordance with the principles of the NPPF.
11. 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.
11. Reason: In the interests of highway safety in accordance with the NPPF and Policy CS11 of the Core Strategy. This needs to be a pre-commencement condition to ensure

fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.

12. 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.
12. Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in the interests of highway safety in accordance with the NPPF and Policy CS11 of the Core Strategy.
13. Condition: Before any dwelling is first occupied the roads/footways shall be constructed to binder course surfacing level from the dwelling/industrial unit to the adjoining County road in accordance with the details to be approved in writing by the Local Planning Authority.
13. Reason: To ensure satisfactory development of the site in the interests of highway safety in accordance with the NPPF and Policy CS11 of the Core Strategy.
14. Condition: Prior to the first occupation hereby permitted visibility splays measuring 2.4 metres x 120 metres shall be provided to each side of the access where it meets the near edge of the adjacent highway carriageway. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
14. Reason: In the interests of highway safety in accordance with the NPPF and Policy CS11 of the Core Strategy.
15. Condition: Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details agreed throughout the construction period.
15. Reason: To ensure adequate off-street parking during construction in the interests of highway safety in accordance with the NPPF and Policy CS11 of the Core Strategy. This needs to be a pre-commencement condition as it deals with the construction period of the development.
16. Condition: Prior to the commencement of any works a Construction Traffic Management Plan shall incorporate wheel cleaning facilities shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented in accordance with the details agreed throughout the construction period.
16. Reason: In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Policy CS11 of the Core Strategy . This needs to be a pre commencement condition as it deals with safeguards associated with the construction period of the development.
17. Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as indicated on Drawing No. 211222-C-001 P09 (Preliminary Access Arrangement & S278 Works, prepared by



Rossi Long Consulting) have been submitted to and approved in writing by the Local Planning Authority.

17. Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF and Policy CS11 of the Core Strategy.
18. Condition: Prior to the first occupation hereby permitted the off-site highway improvement works referred to in Condition 17 shall be completed to the written satisfaction of the Local Planning Authority.
18. Reason: To ensure that the highway network is adequate to cater for the development proposed in accordance with the NPPF and Policy CS11 of the Core Strategy.
19. Condition: Prior to commencement of development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, dust, vibrations and litter, and communication methods to the wider community regarding the construction phases and likely disruptions. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.
19. Reason: In the interests of protecting residential amenity in accordance with Policy DM15 of the SADMPP 2016 and the NPPF
20. Condition: Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures (including boundary treatments). The scheme shall be implemented as approved and thereafter maintained as such.
20. Reason: In the interests of protecting residential amenity in accordance with Policy DM15 of the SADMPP 2016 and the NPPF.
21. Condition: No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
21. Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
22. 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, the extent/levels of illumination over

the site and on adjacent land, and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.

22. Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
23. Condition: The design and construction of the development shall be carried out in strict accordance with the Noise Assessment Technical Report.
23. Reason: In the interests of protecting residential amenity in accordance with Policy DM15 of the SADMPP 2016.
24. Condition: The development shall be built in accordance with the flood risk assessment and drainage strategy demonstrated in the report titled Flood Risk Assessment / Drainage Strategy (Author: Rossi Long Consulting | Ref: 211222 | Rev: 04 | Dated: 14 March 2023). The schematic drainage layout adopted must be that demonstrated in the final submitted drainage strategy drawings:
  - Drawing Title: Surface Water Drainage Strategy – Highway Drawn by: Rossi Long Consulting.
  - Drawing No: C-010 | Rev: P07 | Dated: 14 March 2023.
  - Drawing Title: Surface Water Drainage Strategy – Private Areas Drawn by: Rossi Long Consulting.
  - Drawing No: C-011 | Rev: P03 | Dated: 14 March 2023

The approved scheme will be implemented prior to the first use of the development. If indicative aspects of the proposals are identified to be unachievable at a subsequent stage of detailed technical / construction design, the applicant must submit sufficient further information, to the Local Planning Authority (LPA), to demonstrate compliance with relevant national and local policy, frameworks, strategies, guidance (including best practice) and statutory/non-statutory standards at a later stage of the planning application process. Any alterations to the drainage strategy should be clearly demonstrated.

24. Reason: To prevent flooding in accordance with National Planning Policy Framework (NPPF) paragraph 167,169 and 174 by ensuring the satisfactory management of local sources of flooding, surface water flow paths, storage and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.
25. Condition: Details for the provision of 2 fire hydrants shall be submitted to and agreed in writing by the Local Planning Authority. The fire hydrants shall be installed in accordance with the approved details prior to the occupation of the residential development hereby approved.
25. Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF and Policy CS14 of the Core Strategy.
26. 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).

26. 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 in accordance with the NPPF. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.

27 Condition: In the event that the requirements of Condition 26 determine that a remediation strategy needs to be carried out, then 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.

27 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 in accordance with the NPPF.

28. Condition: In the event that a remediation strategy is required in accordance with Conditions 26 and 27, 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.

28. 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 in accordance with the NPPF.
- 29 Condition: Prior to the first use of the development hereby permitted, full details of a scheme of counteracting measures for alleviating recreation pressure on protected sites shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of a leaflet within sales packs of development properties which outlines the following:
- On-site walking routes within on-site green space
  - Walking routes already promoted locally including paths associated with the Norfolk Coastal Path/England Coast Path
  - Details of designated sites and recreational pressures upon them and alternative visitor attractions
  - Provision of a permanent information board on site indicating the above measure
  - The importance of biodiversity enhancements provided on-site i.e. hedgehog holes, bat and bird boxes
- 29 Reason: To prevent adverse impacts on protected sites and species in accordance with the Habitats Regulations 2017 (as amended), NPPF (2021) and Policy CS12 of the Core Strategy (2011)
- B. In the event that the S106 Agreement is not completed within 4 months of the date of this Committee meeting, the application shall be REFUSED due to the failure to secure affordable housing, open space provision and maintenance, SUDS provision and maintenance and GIRAMS mitigation payment.**

#### INFORMATIVES:

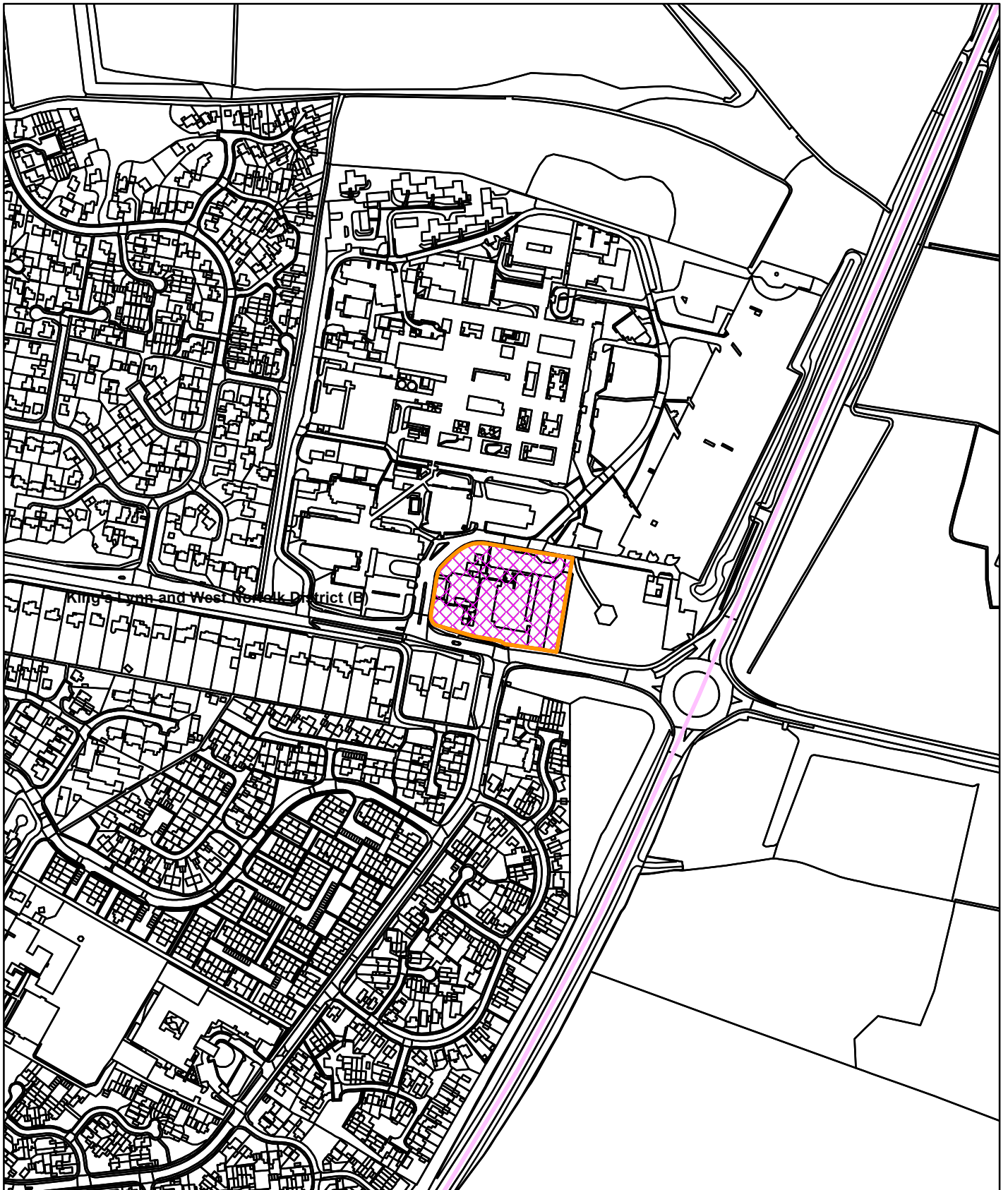
1. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
2. Notification of intention to connect to the public sewer under S106 of the Water Industry Act Approval and consent will be required by Anglian Water, under the Water Industry Act 1991. Contact Development Services Team 0345 606 6087.
3. Protection of existing assets - A public sewer is shown on record plans within the land identified for the proposed development. It appears that development proposals will affect existing public sewers. It is recommended that the applicant contacts Anglian Water Development Services Team for further advice on this matter. Building over existing public sewers will not be permitted (without agreement) from Anglian Water.
4. Building near to a public sewer - No building will be permitted within the statutory easement width of 3 metres from the pipeline without agreement from Anglian Water. Please contact Development Services Team on 0345 606 6087.
5. The developer should note that the site drainage details submitted have not been approved for the purposes of adoption. If the developer wishes to have the sewers included in a sewer adoption agreement with Anglian Water (under Sections 104 of the Water Industry Act 1991), they should contact our Development Services Team on 0345 606 6087 at the earliest opportunity. Sewers intended for adoption should be

designed and constructed in accordance with Sewers for Adoption guide for developers, as supplemented by Anglian Water's requirements.

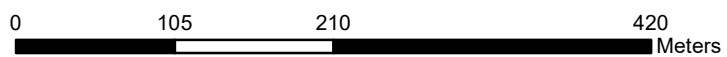
6. The site is near to the Internal Drainage District (IDD) of the Kings Lynn Internal Drainage Board (IDB) and is within the Board's Watershed Catchment (meaning water from the site will eventually enter the IDD). Maps are available on the Board's webpages showing the Internal Drainage District ([https://www.wlma.org.uk/uploads/128-KLIDB\\_index.pdf](https://www.wlma.org.uk/uploads/128-KLIDB_index.pdf)) as well as the wider watershed catchment ([https://www.wlma.org.uk/uploads/KLIDB\\_Watershed.pdf](https://www.wlma.org.uk/uploads/KLIDB_Watershed.pdf)). I am pleased to see that initial testing shows that a drainage strategy reliant on infiltration is likely to be achievable on the proposed development. If for any reason a strategy wholly reliant on infiltration does not prove viable and a surface water discharge is proposed to a watercourse within the watershed catchment of the Board's IDD then we request that this be in line with [the Non-Statutory technical standards for sustainable drainage systems \(SuDS\)](#), specifically S2 and S4. Resultantly we recommend that the discharge from this site is attenuated to the Greenfield Runoff Rates wherever possible.
7. It is an OFFENCE to carry out any works within the Public Highway, which includes a Public Right of Way, without the permission of the Highway Authority. This development involves work to the public highway that can only be undertaken within the scope of a Legal Agreement between the Applicant and the County Council.
8. Please note that it is the Applicant's responsibility to ensure that, in addition to planning permission, any necessary Agreements under the Highways Act 1980 are also obtained. Advice on this matter can be obtained from the County Council's Highways Development Management Group. Please contact [developer.services@norfolk.gov.uk](mailto:developer.services@norfolk.gov.uk)
9. Public Utility apparatus may be affected by this proposal. Contact the appropriate utility service to reach agreement on any necessary alterations, which have to be carried out at the expense of the developer. If required, street furniture will need to be repositioned at the Applicants own expense.
10. The off-site works will be delivered by a Section 278 Agreement and the precise delivery mechanism will be determined as the works are brought forward. The applicant should be aware that there may be additional costs relating to the off-site works which will include a commuted maintenance amount as well as various fees including administration and supervision. The completed works will be subject to a Safety Audit and additional works may be required. Further information on the delivery of highway works can be found under Highways and Transport: Post-planning processes at the following link: <https://www.norfolk.gov.uk/rubbish-recycling-and-planning/planning-applications/highway-guidance-for-development/publications>. Please be aware it is the applicants responsibility to clarify the boundary with the public highway. Private structures such as fences or walls will not be permitted on highway land. The highway boundary may not match the applicants title plan. Please contact the highway research team at [highway.boundaries@norfolk.gov.uk](mailto:highway.boundaries@norfolk.gov.uk) for further details.

22/01947/FM

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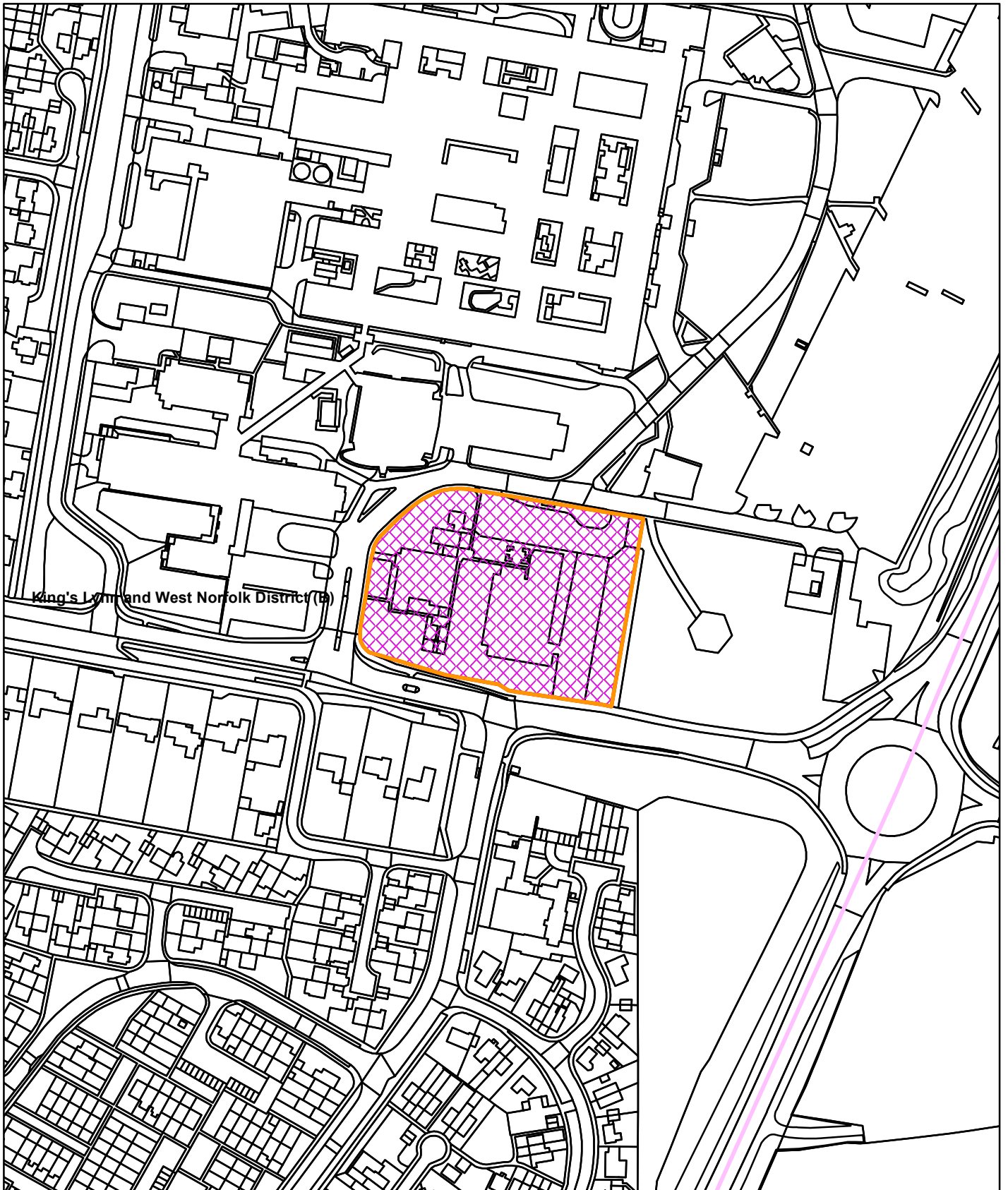
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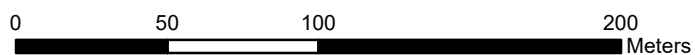


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<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Demolition of the Inspire Centre, including its associated car park and full planning permission for the construction of a new Multi-Storey Car Park, associated highway works, engineering works, drainage works and landscaping.</b>	
<b>Location:</b>	<b>Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn PE30 4ET</b>	
<b>Applicant:</b>	<b>Queen Elizabeth Hospital King's Lynn NHS Foundation Trust</b>	
<b>Case No:</b>	<b>22/01947/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mrs N Osler</b>	<b>Date for Determination: 30 January 2023 Extension of Time Expiry Date: 28 April 2023</b>

**Reason for Referral to Planning Committee –**

Referred by the Assistant Director

**Neighbourhood Plan: No**

**Case Summary**

Full planning permission is sought for a 1,383-space multistorey car park (MSCP) at the Queen Elizabeth Hospital. It would be sited near to the entrance to the overall hospital site, so that it will be very visible in the street scene along Gayton Road.

Six levels of parking would be provided over two phases, and would provide a total (phases 1 and 2) of 98no. disabled / accessible parking bays and 1,285no. ambulant bays. The car park would use automatic number plate recognition (ANPR) to manage parking and payments with options to either pay 'on foot' or 'upon exit'.

The building would measure 21.7m to the top of the vertical fins increasing to 25.3m to the roof of the stair cores. The top deck of the car park sits 18m above the ground level of the car park.

Vehicular access and egress from the building would be from the north.

Associated highways works (within the wider site) include the extension of the existing pedestrian crossing on the main hospital spine road, carriageway widening and realignment of footways, realignment of car park egress and construction of dropped kerb crossings with tactile paving.

No substantial or protected trees would be affected by the proposed development.

The site does not lie in an area at risk of flooding.



Whilst the application includes the demolition of the existing Inspire Building, this has already been permitted under application 22/01914/F. Therefore, no further consideration is being given to this.

The development will however require the temporary movement of the existing bus stop that sits to the north of the Inspire Building, and the loss of 218 car parking spaces. In relation to the latter point this loss has been addressed by the granting of provision of 227 temporary car parking spaces elsewhere on the wider hospital site, under application 23/00146/FM.

### **Key Issues**

Principle of development

Form and character and impact on designated heritage assets

Highway safety

Impact on neighbour amenity

Flood risk and drainage

Ecology

Crime and Disorder

Any other matters requiring consideration prior to determination of the application

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

The site lies within the development boundary for King's Lynn and forms part of the wider hospital site.

The site accommodates the Inspire Building (that provided training facilities, day nursery and vaccination facilities until they were recently decanted into purpose-built buildings approved under application 22/01914/F) and continues to accommodate a car park comprising 218 spaces as well as a bus stop with services from Hunstanton, Heacham, Snettisham, Dersingham, Fakenham, Grimston and Gayton. Hoardings have been erected around the Inspire Building which benefits from permission to be demolished under application 22/01914/F. The bus stop that sits to the north of the Inspire Building will be temporarily relocated next to the entrance to the main car park as part of this application, and the loss of the 218 car parking spaces will be countered by the provision of 227 temporary spaces within and adjacent to the existing hospital site as permitted by application 23/00146/FM.

This application seeks planning permission for a new Multistorey Car Park (MSCP) which would provide a total of 1,383 car parking spaces: 500 in Phase 1 to respond to existing car parking demand, followed by a further 883 spaces in Phase 2 to accommodate wider site provision subject to the receipt of funding and planning permission to build a new hospital. Associated highways works proposed (within the wider site) include the extension of the existing pedestrian crossing on the main hospital spine road, carriageway widening and realignment of footways, realignment of car park egress and construction of dropped kerb crossings with tactile paving.

The building would be over six levels and would provide 98no. disabled / accessible parking bays and 1,285no. standard bays. The car park would use automatic number plate recognition (ANPR) to manage parking and payments with options to either pay 'on foot' or 'upon exit'.

The building would measure 21.7m to the top of the vertical fins increasing to 25.3m to the roof of the stair cores. The top deck of the car park sits at 18m above the ground level of the car park.

Hard and soft landscaping is proposed.

No substantial or protected trees will be affected by the proposed development.

## **SUPPORTING CASE**

The Queen Elizabeth Hospital King's Lynn NHS Foundation Trust (the Trust) have the vision to be the best rural District General Hospital for patient and staff experience. Our mission is to work with patients, staff, and partners to improve the health and clinical outcomes of our local communities. We have begun a journey of improvement, with the quality of our built estate a key focus.

The current application for a Multi-Storey Car Park (MSCP) is the first step in the Trust's wider plans to deliver a new hospital to replace the current facility which is beyond its useable life and failing structurally.

By way of background, the QEH is constructed from Reinforced Autoclaved Aerated Concrete (RAAC) panels, which have a limited lifespan and are subject of a safety alert issued in May 2019. 3478 steel and timber failsafe structural supports are currently in place within the hospital, and national experts have stated that, even if RAAC failsafe and protection works are carried out, the maximum residual life of the QEH is 2030.

Whilst the QEH was, unfortunately, not one of the 40 hospitals that secured £3.7 billion of Government funding towards their development last year, the Trust are committed to ensuring that the QEH is taken forward as one of the additional eight projects included within the national New Hospital Programme (NHP). We anticipate that alongside the other 'unfunded' RAAC hospitals in the UK, we will be prioritised for funding with an accelerated programme for delivery via the New Hospital Programme.

The Trust have developed a Strategic Outline Case for delivery of a new hospital and are awaiting the outcome of the NHP's funding announcements, which are anticipated to be announced by the Department of Health & Social Care and New Hospital Programme team imminently.

With this in mind, we have continued to plan for the delivery of the new hospital given that there is no other option – without this significant investment, the hospital would need to close by 2030. We are committed to ensure the Trust is 'investment ready' to maximise opportunity for funding for the new hospital.

The proposed MSCP is one of the key elements of enabling work required to facilitate the delivery of the new hospital. To avoid interruption of the critical provision of health services in the area, a new hospital needs to be provided whilst the existing hospital remains operational. Consequently the development zone for the new hospital has to be focussed on the areas of the site that do not currently house hospital buildings. This means that the new hospital can only realistically be sited, in the main, on the existing main surface car park.

A new MSCP is therefore required to free up the existing hospital car park for development of the new hospital.

The MSCP will provide a total of 1,383 car parking spaces in Phase 1 and Phase 2. Phase 1 (500 spaces) will provide a short-term solution of car parking provision capacity for QEH including the re-provision of 218 spaces which would be lost in order to construct the MSCP. Phase 2 seeks to deliver the remainder of the spaces to provide sufficient capacity for the increased parking demand arising from any new hospital and offer the long-term solution for parking capacity (to support the NHP).

The proposed site for the MSCP, on the south side of the QEH estate, has been selected following a thorough review of all options, following business case guidance, in the wider context of the need to provide a new hospital. The selected location ensures:

- The short-term and long-term requirements for parking can be achieved;
- The optimum building footprint is achieved so that the demand for car park spaces can be met, whilst acknowledging the limited land available for this use;
- The scale and massing of the MSCP can be kept to a minimum to reduce the impact of the car park on the street scene and surrounding landscape;
- The most effective use of the land on the current QEH site without prejudicing the wider delivery of the NHP or other ongoing estate priorities;
- The miscellaneous ancillary uses on this site to be displaced by the MSCP can be separated up and relocated in smaller areas across the QEH site including the training facility, day nursery and vaccination facility and surface level car parking spaces (all subject of separate approved planning applications);
- The proposed layout of the MSCP will have the space to be able to deliver cycle parking for staff and visitors, electric vehicle charging and accessible parking;
- The scheme is sited within a safe distance of the access points from the main hospital access road and fits into the wider accessibility and connectivity routes of the existing hospital site.

The Trust are seeking to start work on the delivery of the MSCP without delay to show our commitment towards reaching key milestones. Subject to funding, work is due to commence in May 2023 on the temporary surface level car park (approved under planning application reference 23/00146/FM) which will replace the 218 spaces lost on the MSCP site, and this is anticipated to be completed by August 2023. This allows for Phase 1 of the MSCP to begin construction in August 2023 and become operational in July 2024. Following this, construction of Phase 2 of the MSCP would commence in August 2024 with completion earmarked for August 2025.

This phasing and delivery programme is essential to ensure progress in line with the national NHP, and also to meet the current unmet demand for parking on the constrained QEH site.

It is acknowledged that national concerns regarding funding have been widely reported in the press; however, the preferred funding option for the MSCP is to pursue PDC Capital, via the New Hospital Programme 'Enabling works' route. If this is not forthcoming, an alternative option may be taken forward via a Private Finance model (could be either with the Local Authority or other Local Development Vehicle). Either way, the Phase 1 works need to be delivered to meet current demand and the Trust are committed to finding a way to secure its delivery with Phase 2 being secured following an announcement on the NHP.

The MSCP proposals have been carefully considered, and actively responded to the comments raised following submission of the application, notably in relation to the heritage impact of the scheme and are in a position where there are no outstanding objections to the scheme. For example, in recent days further comments have been added by the KLWNBUG The Norfolk and Fens Cycling Campaign which have been addressed by incorporating additional cycle storage spaces (above the level requested by NCC Highways and policy). In addition, we are in open engagement with other stakeholders to ensure that the NHP echoes

these aspirations and our long-term commitment to more sustainable modes of travel. As we progress our thinking towards a new hospital, the Trust are committed to engaging with the Local Authority and associated consultees to ensure all aspects are considered for any forthcoming application.

At both the national and local planning policy level, there is a presumption in favour of enhanced community facilities, including supporting projects such as this to deliver the further development of the QEH to meet current and future needs. It has been demonstrated that there are no technical or infrastructure constraints to the site's development, which would prevent its delivery, and that there are no direct conflicts with either specific policies within the NPPF or the Council's adopted Development Plan when read as a whole.

The MSCP is critical to securing the future of the QEH and the NHP and it can be demonstrated that there are no adverse impacts arising from the development that are sufficient either individually or collectively to outweigh the significant public benefits.

## PLANNING HISTORY

There is extensive history on the wider hospital site. The following are the most recent and relevant.

23/00146/FM: Application Permitted 21/3/23 The development of surface-level Temporary Car Parks together with associated works, including landscaping and highways.

22/01914/F: Application Permitted: 23/12/22 - Proposed demolition of The Inspire Centre, Proposed construction of a single storey children's day nurse for hospital staff and construction of a single storey hospital vaccination centre (Use class C2), with associated infrastructure and landscaping.

22/00479/F: Application Permitted: 20/06/22 - Development of a Diagnostic Assessment Centre, together with associated car parking, highway works, engineering works, drainage works and landscaping.

21/01979/FM: Application Permitted: 07/12/21 - Public service infrastructure planning application. Proposed construction of a two-storey hospital building (Use Class C2) with associated infrastructure and landscaping

## RESPONSE TO CONSULTATION

**Parish Council:** N/A

**King's Lynn Advisory Consultative Committee (KLACC): NO OBJECTION** The KLACC Planning Sub-Group had no objection to the application subject to the bus stop being re-routed with appropriate signage and that larger trees would be used as part of the landscaping proposals on the southern and western elevation.

**Highways Authority: NO OBJECTION** Further to my previous response, the subsequent submission of planning application 23/00146/FM, and your recent emails please find my updated comments.

As you will be aware, following our previous response which requested confirmation of the details of the temporary parking arrangement during the construction phase, the applicant submitted 23/00146/FM for your approval.

With regard to 23/00146/FM, I have previously confirmed that the temporary car parks proposed as part of that application are acceptable and as such, subject to your approving them, SHC23 (for this application) can be amended accordingly.

In light of the above, I can confirm that the HA has no objection to the proposals subject to the temporary parking arrangements being agreed & in place prior to construction and the phased closure / opening of the car parks & the car parking management strategy (CPMS) being agreed by condition.

Should you be minded to approve the application I would suggest conditions relating to the following be appended to any permission granted: provision of temporary car parks approved under application 23/00146/FM, parking for construction workers, construction traffic management, phased opening of new and closure of existing car parks and car park management plan.

**Highways England: NO OBJECTION** National Highways has been appointed by the Secretary of State for Transport as a strategic highway company under the provisions of the Infrastructure Act 2015 and is the highway authority, traffic authority and street authority for the Strategic Road Network (SRN). The SRN is a critical national asset and as such we work to ensure that it operates and is managed in the public interest, both in respect of current activities and needs as well as in providing effective stewardship of its long-term operation and integrity.

Due to the scale of the proposed development, it is considered unlikely to have a material impact on the SRN in this location. Consequently, we offer no objection to this application.

**Historic Environment Service: NO OBJECTION** There are no known archaeological implications.

**Historic England:** Awaiting comments

**Conservation Officer: NO OBJECTION** Thank you for consulting the Conservation Team on the amended details for this scheme, submitted on 14th March 2023 for the proposed new multi-storey car park at Kings Lynn hospital.

Of particular interest to the Conservation Team are:

\* Photos for consultation

This document is a series of wireline diagrams shown on viewpoints which were discussed with the Conservation Team prior to submission. The viewpoints have been chosen in order to show those points from which the impact is likely to be greatest from the designated heritage assets and from the general street scene. The Conservation Team provided initial comments on the application on 23rd February 2023 and upon the locations for the wireline diagrams on 7th March 2023.

The wireline diagrams, alongside the submitted CGI images show that Historic England's initial concerns regarding the scale and mass were justified. The building will read as a large block from the scheduled monuments and the listed building and will be a large, alien feature within the general street scene. This will cumulatively have a negative impact upon the setting of the scheduled monuments and the listed building through large scale development within their setting.

However, as previously mentioned, we understand the need for this car park. The less than substantial harm caused by the cumulative visual impact upon the scheduled monuments and the grade II listed building, would therefore be outweighed by the public benefits of the

Planning Committee  
24 April 2023

scheme. Changes to the materials and colour palette of the car park could go some way to mitigating the harm. We therefore recommend that conditions be applied relating to materials and colour.

*Comments made on 23rd February:* The Conservation Team have reviewed the submitted plans and the heritage statement submitted and, while we do not object to the scheme in principle, we have the following points to raise:

The site of the proposed car park lies in a sensitive location at the edge of the town of King's Lynn. It is the opposite side of the A149 from two scheduled monuments, one of which is also Grade I listed, and a grade II listed building.

The references for the buildings are as follows:

SAM - Moated site in Crow's Wood, 700m southwest of the ruined church of St James (NHLE Number: 1008353)

SAM - Remains of St James' Church and surrounding Saxon and medieval settlement (NHLE Number: 1019667)

GI LB - RUINS OF CHURCH OF ST JAMES (NHLE Number: 1077664)

GII LB - CHURCH FARMHOUSE (NHLE Number: 1077665)

The form, scale and mass of the proposed car park building creates a large monolithic block of a structure that does not respond to the sensitivities of the historic environment. While we recognise that the rural setting of the scheduled monuments has changed over time, the current hospital buildings are low key and relatively low scale. This allows them to be, for the most part, screened by vegetation and integrated into the landscape. The proposed car park would be tall, broad, an alien colour for this landscape and dominant within the streetscene. The position of the building means that it would be visible from the designated heritage assets despite screening, and the materials chosen would make the building even more dominant.

The Conservation Team understand the need for a car park; however, due to the sensitive location, we consider that more could be done with the design, materials, form and massing of it to reduce the impact upon the designated heritage assets.

The colour palette could do more to reflect its location on the rural edge of King's Lynn with a softer more natural colour palette and materials and the roof line could be broken up to avoid one large building block. While these changes would not avoid the harm to heritage assets, they would go some way to mitigating the impacts of it.

**Arboricultural Officer: NO OBJECTION** I generally have no objections to the proposed multi-level car park at the QEH and see the sense on rationalising the car parking. The trees that are to be removed are not of great merit and there are provisions for new planting.

I feel that the proposed planting will lack height and I think the landscaping plan could make better use of the limited space around the building to help soften it. The range of tall, upright trees that will tolerate the reflected heat of the building are limited however I would have preferred to see the addition of something like:

- *Pyrus calleryana* Chanticleer (Callery Pear)
- *Ginkgo biloba* (Maidenhair tree)
- *Pinus sylvestris* (Scots pine)
- *Cupressus italica* (Italian sempervirens)
- *Ostrya carpinifolia* Moree (fastigate Hop Hornbeam)

*Cercis* will not be tall trees. And I am not sure of the Field Maple's ability to withstand heat (*Acer campestre* Queen Elizabeth).

If there is a sense from the planning department of wishing to soften the look of the building, then I would encourage the planting of taller trees.

**Environment Agency: NO OBJECTION** No comment to make on this application. Please append informatives relating to contamination and SUDS to any permission granted.

**Internal Drainage Board: NO OBJECTION** The site is within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

The Board's Officers have reviewed the documents submitted in support of the above planning application. Officers have noted works which require Land Drainage Consent from the Board as outlined in the table below and detailed overleaf. Please be aware of the potential for conflict between the planning process and the Board's regulatory regime.

As Land Drainage Consent is required, the Board strongly recommends that this is sought from the Board prior to determination of this planning application. The Board will only consider the proposals in detail on receipt of an application for Land Drainage Consent. The annexe at the end of this letter outlines the Board's regulatory function and how to apply for Land Drainage Consent.

**Anglian Water: NO OBJECTION** No foul water drainage is anticipated for the proposed development and we also note that the applicant is proposing to discharge surface water via watercourse and therefore this application is outside of our jurisdiction to comment.

**Cadent Gas: NO OBJECTION** information sent to applicant in relation to works in the vicinity of apparatus.

**Ministry of Defence: NO OBJECTION** The application site occupies the statutory safeguarding zones surrounding RAF Marham. In particular, the aerodrome height and technical safeguarding zones surrounding the aerodrome and is approximately 14km from the centre of the airfield.

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

The MOD must emphasise that the advice provided within this letter is in response to the data and information detailed in the developer's document titled "Design and Access Statement", "Proposed Elevations Sheets 1-3" and "Proposed Landscape Planning" dated October 2022. Any variation of the parameters (which include the location, dimensions, form, and finishing materials) detailed may significantly alter how the development relates to MOD safeguarding requirements and cause adverse impacts to safeguarded defence assets or capabilities. In the event that any amendment, whether considered material or not by the determining authority, is submitted for approval, the MOD should be consulted and provided with adequate time to carry out assessments and provide a formal response.

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

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** In terms of air quality / emissions and contaminated land we have no objections, subject to the full suite of contamination conditions and a condition requiring EV charging details.

**Community Safety and Neighbourhood Nuisance (CSNN): NO OBJECTION**

*Drainage:* No foul drainage is proposed.

As discharge consent from the IDB has not yet been received please condition surface water drainage to be carried out in accordance with drawing no: MSCP-HEX-XX-XX-DR-C-9500 Rev.P03.

As they have not got discharge consent from the IDB, I would like this to be addressed due to the scheme reliance on this, i.e., a pre-commencement condition to confirm the final proposal and discharge rates etc.

*Noise from completed development:* In the EIA Screening Report, section 5.54, it was identified that noise is highly unlikely to result in any detectable noise changes.

The lowest recorded background noise level overnight was 34.3dB, however average levels were 39-42dB and overnight use will not be significant. I have considered that there is already a parking area in this location, so this is not unused land. The noise impact assessment advised there will be no significant adverse impact on the hospital and therefore further mitigation is not required. It further identified, whilst noise can be heard at residential dwellings, the proposed car park will not give rise to any discernible negative noise impacts / there should not be any adverse noise impacts and no further mitigation is required. CSNN has no reason to question these findings.

However, plant has not been considered at this stage. Therefore, please condition prior to installation details should be submitted and agreed covering types of plant, noise levels and locations.

*Noise from construction and demolition:* The INSPIRE BUILDING DEMOLITION SPECIFICATION document is welcomed and as this includes some detail regarding control measures, I would welcome this being listed as a document to be adhered to via a planning condition.

However, this document does not list any hours of work regarding demolition or construction and could include more specific mitigation detail. Please therefore condition this separately.

No Construction Management Plan has been submitted. Please condition this if permission is granted.

*Dust:* Measures to mitigate dust emissions have been proposed in section 5.2.3 of the Air Quality Assessment. I request these are incorporated into the CMP document – as long as this is required, I have no further concerns.

*Lighting:* Please condition the lighting for the scheme to be as proposed in the LIGHTING SCHEME & LIGHT POLLUTION ASSESSMENT document. To confirm all lighting locations, I also request a site plan with all lighting locations/mounting positions is conditioned, so this can be finally assessed prior to any installation of lighting.

**Norfolk Fire and Rescue: NO OBJECTION** Norfolk Fire & Rescue Service (NFRS) are grateful for the opportunity to make comment on this application and would like to consult



further on what is considered a major development in the local community with potentially far-reaching consequences in an emergency.

NFRS are only too aware of the risks of fire in multistorey car parks following the Kings Dock car park fire on Liverpool Waterfront in December 2017 (amongst other high profile car park fires) which led to the destruction of almost 1400 vehicles and the subsequent demolition of the entire structure. Car park design, and the associated statutory design guidance, has not significantly changed over the decades to keep progress with the design of modern vehicles, where construction materials were previously steel, wood and textile and vehicles easily parked in 4.8 x 2.4m bays. Modern vehicles incorporate far more plastic (including fuel tanks) and are bigger, reducing the gaps between them when parked. Fire loading for modern vehicles exceeds those of vehicles from 20-30 years ago when the parameters for car park fire resistance was laid out in guidance, so the risk of fire spread between vehicles, and subsequent potential for structural damage of a multistorey car park involved in fire has increased markedly.

A point of note regarding the Kings Dock car park in Liverpool, is that the replacement building was installed with an automatic sprinkler system throughout.

Further to the above, the proposed development also includes the provision of electric vehicle charging points (EVCPs), which will obviously lead to EVs being parked and charged at the premises. The additional risks posed by EVs <https://www.evfiresafe.com/risks-ev-fires>, and of fire spread in a covered car park where EV charging is taking place, is considered as not being addressed in sufficient detail. NFRS would therefore, in lieu of other information, suggest the provision of EV charging spaces being removed from the premises is considered, and placed at various locations around the site away from buildings and in the open.

The design and access statement suggests the majority of EV charging points would be used by staff and we concur that people visiting the hospital from the local area would not require charging facilities, so parking for staff could remain around the grounds and EV charging points organized accordingly, removing an additional fire risk from the new car park.

Following on from the above, whilst we appreciate the developer has attempted to address concerns in Section 3 of their Design and Access Statement on page 13 with their inclusion of the conditions specified by NFRS on the Pre-application, we request additional detail to ensure the solutions proposed by the developer meet the requirements for the potential risks should the EVCPs be included.

- Provision of sprinklers - what category, what type, coverage, what is the design specification, how does the design mitigate the risk of EVs and modern internal combustion engine vehicles?
- Induction fans at ground floor – why only the ground floor and how does this proposed ventilation address the risks posed by EVs?
- Dry risers – where will they be located, how will they be protected, how will these assist the FRS in having appropriate access and facilities into the premises to deal with any fire, EV or otherwise?
- Existing hydrants – will these provide enough water to deal with an EV fire or subsequent multi-vehicle fire?
- Ventilation standards relating to EV charging have been proposed to the relevant guidance documents – what standards are these, what are the relevant guidance documents and are they specific to EV charging?
- What type of Automatic Fire Detection is proposed?
- Appropriate signage will be provided where required and in line with statutory guidance and requirements of Norfolk Fire Service – again, more information is required.

In Section 3 the heading leads with “Fire Service: Installation of vehicle charging and Statutory Guidance”. Following discussion with the National Fire Chiefs Council Protection Policy and Reform Unit (NFCC PPRU) there is some concern regarding the Statutory Guidance mentioned, which suggests they are referring to guidance about the design of structures produced under statute. This is considered to be the Building Regulations (as amended), and under the Building Act of 1984 the secretary of state provides such guidance in the form of the Approved Documents, which for fire is Approved Document B (ADB).

NFCC PPRU and NFRS are of the opinion that the current ADB (and British Standards Institution guidance 9999/9991) are not appropriate fire safety design documents when considering the risks posed by EVs in a car park, as well as the risks posed by modern internal combustion engine vehicles (ICEV), and only a performance-based design/fire engineered design will suffice. We do not consider these to be a ‘common building situation’ as detailed in [Manual\\_to\\_building\\_regs\\_-\\_July\\_2020.pdf](#) ([publishing.service.gov.uk](http://publishing.service.gov.uk)) (chapter 7) and therefore, are outside of the scope of ADB.

NFRS would like the developer to confirm what guidance they are referring to in order to support their statements and proposals, which at the present time are qualitative assumptions and statements with no supporting technical detail or data to demonstrate the risk has been addressed.

While we understand this is not a Building Regulations consultation, we would like to ensure the developer is going to be able to demonstrate compliance with the functional requirements of the Building Regulations (as amended) prior to resourcing the project.

**Police Architectural Liaison Officer: NO OBJECTION** From reviewing the plans and information provided within the application, the proposed scheme appears of a high quality and designed generally in line with Park Mark standards and principles in the key assessment areas, therefore to protect the integrity of the design and to demonstrate our partnership working I strongly recommend that accreditation to the Park Mark Scheme is made a condition of planning for the Hospital Car Park.

**REPRESENTATIONS THREE** letters neither objecting nor supporting the proposed development have been received from third parties, including King’s Lynn West Norfolk Bike Users Group (KLWNBUG). The issues raised can be summarised as:

- Suggestion was made at the public presentation that an additional exit / entrance could be built further down the bypass to alleviate congestion caused by construction. An additional roundabout / junction on the bypass would in my opinion help to minimise these issues
- There is an error in the assessment and Hartlepool is mentioned
- The failure to include any cycle parking is noted and should be addressed in line with current standards
- Much of the current cycle parking on site falls below standard
- There is no direct access from the Gayton Road cycleway. A direct cycling and walking route past the car park to the hospital should be added as part of this development.

King’s Lynn West Norfolk Bike Users Group (KLWNBUG) – Further representations. Points out errors in the TA. Also raises the following concerns, summarised below:

- Disagree that the policies relate to only additional trips generated by the new development. CS11 promotes sustainable forms of transport
- Existing site is already below current standards and needs to be brought up to standard.

- Whilst an improvement for motorists but it will surely be expected to cause a modal shift towards car use, contrary to national and local policy, and more provision needs to be made for cycle infrastructure.
- Whilst new cycle provision is welcome, access is across the carriageway in front of motorists. This should be improved.
- Welcome news that the unambitious Travel Plan will be reviewed when the new hospital application is submitted. Planning for only 1% growth in cycle trips in 4 years does not fit with Government targets of 50% of all in town journeys to be walked or cycled by 2030.
- Current application should be considered on its merits without considering promises of what will happen in a future planning application. The Travel Plan submitted with this is at best incomplete, and its low targets are likely to be met by the council delivering their Local Cycling and Walking Implementation Plan.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

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

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

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM12** - Strategic Road Network

**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 2021

## PLANNING CONSIDERATIONS

### The main considerations are:

Principle of development  
Form and character and impact on designated heritage assets  
Highway safety  
Impact on neighbour amenity  
Flood risk and drainage  
Ecology  
Crime and Disorder  
Any other matters requiring consideration prior to determination of the application

### Principle of Development:

The development is for the provision of a Multi-Storey Car Park (MSCP) within the grounds of the Queen Elizabeth Hospital which is within the development boundary for King's Lynn and is one of the borough's main employers and community / public health facilities. The hospital serves a large hinterland, as well as the town of King's Lynn.

Paragraph 96 of the NPPF states: *To ensure faster delivery of other public service infrastructure such as further education colleges, hospitals and criminal justice accommodation, local planning authorities should work proactively and positively with promoters, delivery partners and statutory bodies to plan for required facilities and resolve key planning issues... It also states, at para 123: Local planning authorities ... should support proposals to...b) make more effective use of sites that provide community services such as schools and hospitals, provided this maintains or improves the quality of service provision...*

Local policy also supports the provision of further community facilities, particularly Core Strategy Policy CS13 – Community and Culture, which makes specific reference to “...work with NHS Norfolk to ensure that new health facilities are provided to serve an expanded population particularly in growth areas in King's Lynn...”

The principle of development is therefore strongly supported subject to consideration of other relevant planning policy and guidance.

### Form and Character and Impact on Designated Heritage Assets:

The application is to provide 1,383 car parking spaces within a multistorey car park (MSCP) over two phases; 500 in phase 1 and 883 in phase 2.

Phase 1 would take place where an existing 218 space car park is located; with Phase 2 in the location of the Inspire Building. Because phase 1 would result in the loss of 218 car parking spaces, these have been secured by permission granted under application 23/00146/FM for temporary car park provision of 227 spaces over three areas within and adjacent to the wider hospital site. Any permission granted under the current application would be conditioned to ensure these temporary spaces are provided in their entirety before works on the MSCP commences to ensure continued parking provision on the overall hospital site.

Phase 1 would take place regardless of any future proposals at the hospital, whereas phase 2 would only take place if funding was secured for a new hospital building. If a new hospital building were to be built it would have to be built on the existing main car park (to enable continuation of services in the existing building whilst construction takes place) thus requiring alternative car park provision.

Phase 1 would comprise four stair cores which provide vertical access to the car park at all floors via stairs and lifts. These would be in the northeast and southeast corners (external) and the northwest and southwest corners (set behind the fins (internal).) The positioning of the latter two stair cores behind the fins would enable a seamless continuation of the building if / when phase 2 is constructed.

Phase 1 would comprise 6 levels of parking with the top deck siting c.18m above the ground level of the car park. The top of the vertical fins would measure 21.7m and the top of the stair cores (the tallest elements) 23.4m above the ground level of the car park.

However, land levels change across the site with land rising from east to west. The western end of phase 1 is c.1.5m higher than the eastern end of phase 1, and the western end of phase 2 is c.3.5m higher than the eastern end of phase 1.

The width and length of the Phase 1 building would be c.70m x 42m respectively.

If / when phase 2 is erected the length of the resultant building would increase by 64.5m to 106.5m, the width would remain the same.

Both phases are to be built from the same materials; materials that the applicant states reflects and compliments materials in the newly erected Endoscopy building, and comprise: Split face blockwork – buff / plasma\_Cotswold yellow at the base of the four (external) corner stair cores

Powder coated aluminium interlocking panels and frames (anodised bronze (analok umber)) to the sides of the four (external) corner stair cores

Natural finish blockwork to the two 'internal' stair cores

Flattened expanded mesh panel - anodised bronze (analok pale umber) along the base of the building

Powdercoated profiled fin with stainless steel webnet sire rope behind

- Colour 1 silver
- Colour 2 yellow
- Colour 3 blue
- Colour 4 green.

It is clear that the proposed MSCP would be a large and imposing building in a prominent location at one of the main entrances to King's Lynn as well as one of the main bypass routes. As such the development will have a definite visual impact, and will be by far the tallest building within the overall street scene.

In relation to the scale, mass and position, these are firmly fixed. The building needs to be this size to accommodate the number of car parking spaces required. Likewise, this is the only location available within the wider site that can accommodate the building whilst future proofing the ability of the MSCP to be used if / when a new hospital is both under construction and completed.

Notwithstanding this, it is to be located within the existing hospital complex which includes a wind turbine that will remain the tallest structure in the locality. The building will also demarcate the entrance to the hospital site, and it is hoped that it will mark the start of the overall development for a new, modern hospital on the site.

Additionally, however, it must be noted that the building is in the vicinity of four designated heritage assets, and the impact upon these must be assessed. These are as follows:

- Scheduled Ancient Monument - Moated site in Crow's Wood, approximately 800m east of the site
- Scheduled Ancient Monument - Remains of St James' Church and surrounding Saxon and medieval settlement is 1.25 km to the north-east of the site
- Grade I Listed Building - Ruins of Church of St James is 1.5 km to the north-east
- Grade II Listed building - Church Farmhouse is 1.38 km east of the site

In relation to the historic environment, the over-arching aim of the NPPF is to Conserve and Enhance the Historic Environment as outlined within Chapter 16.

This chapter reasserts that heritage assets can range from sites and buildings of local interest to World Heritage Sites considered to have an outstanding universal value. The NPPF subsequently requires these assets to be conserved in a *manner appropriate to their significance* (Paragraph 189).

The NPPF directs local planning authorities to require an applicant to *describe the significance of any heritage assets affected, including any contribution made by their setting* and the level of detailed assessment should be *proportionate to the assets' importance* (Paragraph 194).

Paragraph 199 of the NPPF requires that *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* It is then clarified that any harm to the significance of a designated heritage asset, either through alteration, destruction or development within its setting, should require, *clear and convincing justification* (Paragraph 200). This paragraph outlines that substantial harm to grade II listed heritage assets should be exceptional, rising to 'wholly exceptional' for those assets of the highest significance such as scheduled monuments, Grade I and grade II\* listed buildings or registered parks and gardens as well as World Heritage Sites.

In relation to harmful impacts or the loss of significance resulting from a development proposal, Paragraph 201 states the following: *Where a proposed development will lead to substantial harm to (or total loss of significance of) a designated heritage asset, local planning authorities should refuse consent, unless it can be demonstrated that the substantial harm or total loss is necessary to achieve substantial public benefits that outweigh that harm or loss, or all of the following apply:*

- the nature of the heritage asset prevents all reasonable uses of the site*
- no viable use of the heritage asset itself can be found in the medium term through appropriate marketing that will enable its conservation*
- conservation by grant-funding or some form of not for profit, charitable or public ownership is demonstrably not possible*
- the harm or loss is outweighed by the benefit of bringing the site back into use.*

The NPPF therefore requires a balance to be applied in the context of heritage assets, including the recognition of potential benefits accruing from a development. In the case of proposals which would result in *less than substantial harm*, paragraph 202 provides the following: *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.*

These principles are reiterated in the Development Plan is policies CS01, CS08, CS12 and DM15.

In order to assess the impacts on Heritage Assets additional visual aids were produced from viewpoints agreed with the Conservation Officer and a Heritage Statement was submitted. The viewpoints were taken from the heritage assets as well as from the QE Hospital Roundabout (looking northwest) and from Gayton Road looking east towards the hospital.

The Heritage Statement concludes that: *... the proposed scheme would result in a neutral impact to the significance of the Grade I listed Church of St James, and the setting of the surrounding Saxon and medieval settlement, and a nil impact to the significance of the Grade II listed Church Farmhouse and the moated site in Crow's Wood.*

*Following the findings of the Landscape & Visual Appraisal Baseline (January 2023) and the AVR 0 technical visualisations (March 2023), we acknowledge that in landscape terms, the proposed scheme could result in a slightly greater awareness of urban features within one sector of the wider setting of the Church of St James. This slightly increased awareness would have a very limited impact on the appreciation of the rural character and sense of tranquillity experienced at the church.*

*In terms of an effect on the setting of the church, the aspect of minor, additional built form within the existing context of the Hospital in the views from the Church would represent only a slight adverse impact on setting, equating to a nil impact the significance of the heritage asset. The church ruins will remain to be fully understood within a rural and landscape context.*

*We therefore find that the proposed alterations to have had special regard for the desirable objective of preserving the special interest of the listed buildings and their settings in accordance with Section 66(1) of the Planning (Listed Building and Conservation Areas) Act 1990. In addition to satisfying these provisions of the Act, the NPPF Paragraphs 194-206 are also satisfied.*

Whilst not objecting to the principle of the development the Conservation Officer considers that the development could be made less damaging by, amongst other things, changing the colour of the proposed materials. This could be dealt with by condition if Members consider it necessary. But ultimately the Conservation Officer concludes that the development, rather than having a minor or nil impact, would result in less than substantial harm, but acknowledges that that harm would be outweighed by the public benefits of the proposed development, which supports such an important community facility.

In conclusion it cannot be argued that the development would not have a material impact on visual amenity and on designated heritage assets. However, in this instance, your officers agree with the Conservation Officer, that the unquestionable public benefits of the proposed development, both in terms of the short-term parking improvements that phase 1 would bring, but the fact that phase 2 would enable the existing car park to be redeveloped with a new hospital, outweigh this less than substantial harm to the historic environment.

It is therefore considered that the development accords with the overarching national and local policy and guidance outlined above relating to the impact on heritage assets.

### **Highway Safety:**

The applicant has updated the Transport Assessment (TA) and confirmed that reference to Hartlepool was a typographical error and that the analysis is specific to King's Lynn. The TA has been amended in response to representations received, particularly from the King's Lynn and West Norfolk Bike Users Group (KLWNBUG).

Upon completion of phase 1, access to the MSCP will be via the existing surface level car park and be accessed off the existing land to this car park via a filter lane. This would also apply

to phase 2, however, if / once the new hospital construction works commence the access to the MSCP would be off the main hospital road via a right-turn ghost lane that is proposed as part of this application.

The vehicular exit from the car park for both phases would be via a two lane barriered exit point and a left-hand turn onto the existing hospital road towards the A1076 (Gayton Road.) The main vehicular access and exit to the hospital site will remain unchanged.

Pedestrians and users of the MSCP would access the main hospital site on foot through the provision of new dropped kerbs and tactile paving and the enhancement of existing zebra crossing facilities, also proposed under the current application.

Existing car park provision across the hospital site is stated to be 1,610.

The following outlines car park provision across the construction periods.

Car parks 3 and 4 (Inspire Centre (218 spaces)) are to be lost to enable construction of phase 1 of the MSCP. However, before these are closed 227 spaces are to be provided in temporary car parks approved under application 23/00146/FM. This would give 1619 spaces, a net gain of 9 on the present situation.

When Phase 1 of MSCP opens , this will add a further 500 spaces. At that point temporary car park area 1 closes (-155), which will leave 1964 at that point in the construction on site.

If/when Phase 2 of the MSCP opens, this will add 883 spaces, giving a total of 2847 spaces. However, this is stated as being dependent upon the new hospital, so in that scenario, the loss of the existing car parks to facilitate the new build hospital, would mean a reduction of 1151 spaces.

Ultimately, there would be a final figure of 1696 spaces to serve a new hospital. This is higher than the current figure of 1610.

On this basis, the LHA raises no objection to the development.

Eighteen EV charging bays were originally proposed within the MSCP. However, on the advice of Norfolk Fire and Rescue, they have been removed from the MSCP. It has been agreed that they will be provided within the wider hospital site. This will be suitably conditioned if permission is granted. The removal of the EV chargers from inside of the car park, is considered to deal with the concerns raised by Norfolk Fire and Rescue, and the car park will need to meet the Building Regulations in relation to fire safety.

The applicant has confirmed that the relocated bus stop which is now at the entrance to the main car park, has been agreed with local bus operators. The location was chosen because it does not affect blue light routes, drop off zones or cause disruption across the site.

Signage, directing people to the new bus stop, as requested by KLACC, will be conditioned if permission is granted.

In response to a query regarding cycle provision, whilst no cycle provision is being lost, and therefore the LHA could arguably not sustain a request for more, the applicant has proposed improved cycle provision, and as a result the proposal now includes both visitor (10) and staff cycle parking (20) to the north of the MSCP in covered cycle storage. This is in additional to cycle provision already provided across the site.



However, it was not considered reasonable nor proportionate to require further improvements to existing cycle connectivity and infrastructure, as suggested by a third party, because as confirmed by the applicants and NCC Highways, that aspect will be reviewed when / if an application for a replacement hospital is made. There would be extra cycle parking provision associated with a new hospital, and that would be spread across the site, to better cater for staff and patients, depending on the unit they are working at/visiting. The internal layout will also undoubtedly change at that time, to accommodate the new hospital, so new/ revised cycle infrastructure will be an integral part of that.

Future proofing, to enable use of the MSCP if / when the new hospital is under construction, is being accommodated by widening the access road to enable a right turn lane into the MSCP at a later date. However, when first operational the MSCP will be entered from the east via the existing main car park.

The development would not affect highway movements given it is replacement provision and therefore the proposed development therefore accords with the NPPF and Development Plan in relation to highway safety and parking provision and has received no objection from either the Local Highway Authority or National Highways.

### **Impact on Neighbour Amenity:**

No objections have been received from occupiers of neighbouring properties considered to be most affected. These are the properties opposite the new car park on Barrett Close and on Gayton Road itself, and they will clearly have a change in their outlook when compared to the existing street scene. However, there is no right to a private view in planning, and rather it is the impact in terms of whether the proposal is overbearing or causes undue overshadowing that needs to be considered.

With regards the properties on Barrett Close, the nearest distances between the façades of the MSCP Phases 1 and 2, to the nearest property facades are approximately 67m - 81m. There is also a belt of mature trees in between, which will help to screen the development.

With regards properties on Gayton Road, especially numbers 136, 138 and 140, the distances from the façade of phase 2 of the MSCP, which will be opposite those properties, ranges from approx. 51m – 56m. Phase 1 is even further away, and is at an angle (to the north-east), not directly opposite. There are also mature trees in those properties which will help to a degree to screen it, although the MSCP will still be visible.

Overall there are no impacts on overshadowing or the structure being unduly overbearing on those neighbours, that would warrant a refusal of consent, given the relatively large distances between the car park and the nearest affected properties, and the existing screening.

The Community Safety and Neighbourhood Nuisance Team (CSNN) are satisfied that whilst the development, when operational would have some negligible impact, it would not cause any material disamenity to occupiers of neighbouring properties, given existing and assessed noise levels.

CSNN suggest that construction disamenity could be suitably mitigated by conditions relating to noise and dust and other impacts as well as construction hours, and a condition requiring a construction management plan can be conditioned.

### **Flood Risk and Drainage:**

Whilst the site does not lie in an area at risk of flooding, the site area, being greater than 1ha, means that it was necessary to produce a Flood Risk Assessment.

Neither the LLFA, Anglian Water nor Environment Agency had any specific comments to make.

The IDB require their Byelaws to be complied with. In this regard the applicant has confirmed they have applied for the requisite consent.

### **Ecology:**

The Ecological Impact Assessment that accompanied the application, unsurprisingly, concludes that the presence of habitats and species can be ruled out and that no further surveys are required.

However, the loss of the small number of trees, none of which showed any signs of bat roosts, have some limited scope for bird nesting. Therefore, clearance and lighting should be considered in terms of mitigation and the provision of bat boxes on the larger of the new trees would be appropriate enhancement. This can be suitably conditioned if permission is granted.

### **Crime and Disorder:**

The Police Architectural Liaison Officer considers that the proposed scheme is of a high quality and therefore raises objections or concerns in relation to crime and disorder.

### **Other matters requiring consideration prior to the determination of this application:**

#### *Trees:*

The development will require the removal of 1no moderate quality (Category B) and 7no low quality (Category C) trees as follows:

- T7 Walnut C
- T8 Walnut C
- T9 Walnut C
- T10 English Oak B
- T11 Walnut C
- T12 Walnut C
- T13 Apple C
- T14 Pear C

The arboricultural report therefore concludes that the impact to the site is low, as a limited number of mostly low-quality trees are to be removed. This is supported by the lack of objection from the LPA's Arboricultural Officer.

The landscaping plan shows 26 new trees (8 acer campestre (field maple), 3 betula pendula (silver birch), 11 cercis canadensis (forest pansy) and 4 cercis chinensis (red bud)) It is therefore considered that the number of replacement trees, that far exceeds those being removed, is acceptable.

However, the Arboricultural Officer has suggested that the proposed trees may not all be appropriate both in terms of their size and location. Therefore, further landscape details, to include preferred species, will be appended to any permission granted.

*Third Party Comments:* In relation to third party comments made, your officers comment as follows:

- Suggestion was made at the public presentation that an additional exit / entrance could be built further down the bypass to alleviate congestion caused by construction. An additional roundabout / junction on the bypass would in my opinion help to minimise these issues – such development was not considered necessary either by National Highways or the Local Highway Authority to make the application acceptable
- There is an error in the assessment and Hartlepool is mentioned – covered in report
- The failure to include any cycle parking is noted and should be addressed in line with current standards – covered in report
- There is no direct access from the Gayton Road cycleway. A direct cycling and walking route past the car park to the hospital should be added as part of this development – covered in report.

## **CONCLUSION/PLANNING BALANCE**

The proposal is for a 6 level multi-storey car park (MSCP) of 1,383 spaces, to be delivered in two phases.

The requirement for the MSCP is driven by the need to improve parking for staff and visitors to the hospital in the short-term (phase 1) and also to tie in with the future strategic vision of the Trust by way of a new hospital (phase 2.)

In order to deliver the proposal there are number of objectives which needed to be addressed:

- Accommodate displaced parking temporarily (as approved by application 23/00146/FM)
- Temporary relocation of the bus stop adjacent to the entrance to the main hospital car park
- Provide landscaping to soften the proposed development

However, it is acknowledged that the development would result in a significant and dominant building that would impact on the location in general and would result in less than significant harm to nearby heritage assets.

That said, this application must be considered against the significant and unarguable public benefits that the proposed development would deliver. The car park is proposed to help support the functioning of the Queen Elizabeth Hospital (QEH), which is a vital public facility serving the town and a wider hinterland. National and local policy set out earlier in this report strongly supports the provision of key infrastructure such as this. This is considered to be of significant weight in assessing this application.

There are no other technical objections to the scheme that would warrant a refusal, and remaining issues can satisfactorily be dealt with by conditions.

In applying the planning balance, it is clear that this application should be recommended for approval, subject to the following conditions.

## **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
  
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:
  - H5541-EX1-100-P3 Location Plan
  - H5541-EX1-102A-P2 Proposed Site Plan A
  - H5541-EX1-102B-P1 Proposed Site Plan B
  - H5541-EX1-103-P3 Proposed Site & Ground Floor GA Plan
  - H5541-EX1-200A-P2 Proposed Ground Floor GA Plan – Sheet 1
  - H5541-EX1-200B-P2 Proposed Ground Floor GA Plan – Sheet 2
  - H5541-EX1-201-P3 Proposed Context GF Plan
  - H5541-EX1-201-P3 Proposed Context Levels 1 to 4 Plan
  - H5541-EX1-201A-P2 Proposed Levels 1 to 4 Plan – Sheet 1
  - H5541-EX1-201B-P2 Proposed Levels 1 to 4 Plan – Sheet 2
  - H5541-EX1-202-P3 Proposed Context Level 5 Plan
  - H5541-EX1-202A-P2 Proposed Level 5 Plan – Sheet 1
  - H5541-EX1-202B-P2 Proposed Level 5 Plan – Sheet 2
  - H5541-EX1-203-P2 Proposed Context Roof Plan
  - H5541-EX1-203A-P1 Proposed Roof Plan – Sheet 1
  - H5541-EX1-203B-P1 Proposed Roof Plan – Sheet 2
  - H5541-EX1-301-P2 Proposed Elevations – Sheet 1
  - H5541-EX1-302-P2 Proposed Elevations – Sheet 2
  - H5541-EX1-303-P2 Proposed Elevations – Sheet 3
  - H5541-EX1-304-P2 Proposed Context Street Elevations
  - H5541-EX1-400-P2 Proposed Site Sections
  - H5541-EX1-401-P2 Proposed Site Sections
  - H5541-EX1-402-P2 Proposed Site Sections
  - H5541-EX1-850-P1 Proposed Sprinkler Tank Enclosure
  - H5541-EX1-900A-P1 Cycle Parking Elevation – Sheet 1
  - H5541-EX1-900B-P1 Cycle Parking Elevation – Sheet 2
  - 600544-HEX-00-00-DR-TP-0100 Rev.P01 Revised Bus Route
  - 600544-HEX-00-00-DR-TP-0200 Rev.P02 Bus Stop Relocation
  - 600544-HEX-00-00-DR-TP-0400 Rev.P02 MSCP Access
  - EML EX1 1202 01 Rev.E Proposed Landscaping Plan
  
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
  
- 3 Condition: Prior to the commencement of development hereby permitted a construction management scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme must include, amongst other things, proposed timescales and hours, deliveries/collections and any piling. The scheme shall also provide details of the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, proposed attenuation and mitigation methods to protect residents from noise, dust, vibrations and litter and communication methods to the wider community regarding the construction phases and likely disruptions. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.
  
- 3 Reason: In the interests of the amenity of the locality and occupiers of nearby residential properties in accordance with the NPPF and Development Plan. This needs to be pre-commencement given it relates to construction.

- 4 **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).
- 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:** 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.
- 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. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 6 **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.

- 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: 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 4, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 5, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 6.
- 7 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.
- 8 Condition: No development shall commence on site in relation to the development hereby permitted until the temporary car parks approved under application 23/00146/FM have been provided to the written satisfaction of the Local Planning Authority. The temporary car parks permitted under application 23/00146/FM shall remain open and available until Phase 1 of the MSCP hereby permitted is open to the public.
- 8 Reason: To ensure that parking levels are maintained across the wider hospital site in the interests of highway safety in accordance with the NPPF and Development Plan. This needs to be a pre-commencement condition as it ensures parking provision is relocated prior to the loss of the existing car park.
- 9 Condition: No development shall commence on site in relation to the development hereby permitted until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 9 Reason: To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 10 Condition: No development shall commence on site in relation to the development hereby permitted until a Construction Traffic Management Plan which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities has been submitted to and approved in writing by the Local Planning Authority. For the duration of the construction period all traffic associated with (the construction of) the development hereby permitted will comply with the Construction Traffic Management Plan.
- 10 Reason: In the interests of maintaining highway efficiency and safety in accordance with the NPPF and Development Plan. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.

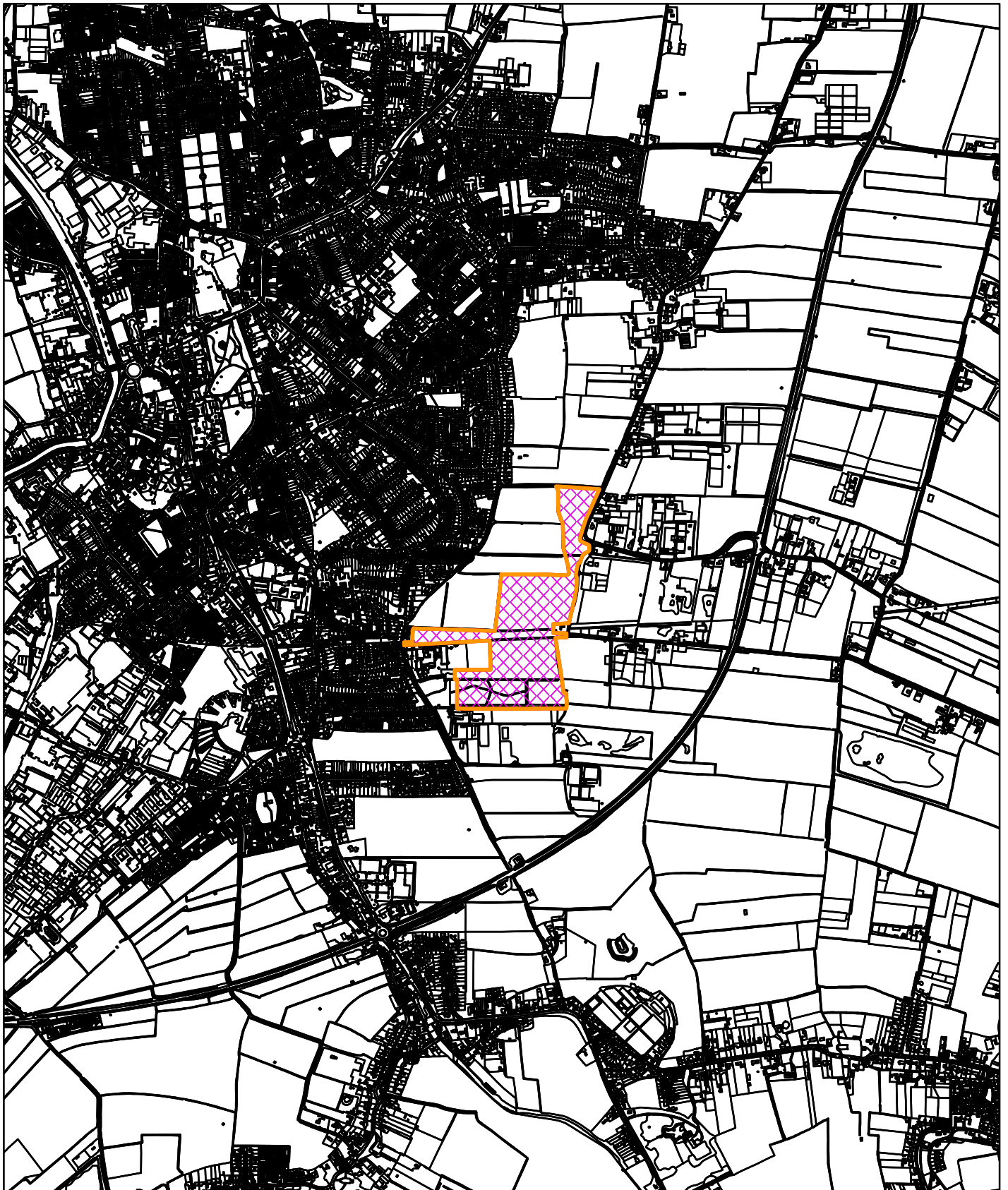
- 11 Condition: Prior to first use of the development hereby permitted a Car Park Management Strategy Plan for the site shall be submitted to and approved by the Local Planning Authority. The Plan shall thereafter be implemented as approved.
- 11 Reason: In the interests of maintaining highway efficiency & safety and to ensure that the development offers a wide range of travel choices to reduce the impact of travel and transport on the environment.
- 12 Condition: Prior to first use of the development hereby permitted, details of a suitable electric vehicle charging scheme shall be submitted to and approved by the LPA. The scheme shall be implemented as approved prior to the first use of the development hereby permitted.
- 12 Reason: To ensure the charging is safe, accessible and convenient in accordance with section 112(a) of the NPPF, AQAP, emerging local policy LP14/18 and the NCC's parking standards (July 2022).
- 13 Condition: Notwithstanding the drainage details proposed within drawing ref MSCP-HEX-XX-XX-DR-C-9500 Rev. P03, no development shall commence on site in relation to the development hereby permitted until either discharge consent (formal or 'in principle') is received from the IDB or full details are submitted and approved in writing by the Local Planning Authority that includes full final surface water drainage scheme details, including discharge rates. The development shall be carried out in accordance with either in accordance with the IDB's consent or in accordance with the details approved by the LPA.
- 13 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 14 Condition: The only trees to be removed are those shown on drawing no: RSE\_6227-TPP Rev.V3 contained within the Arboricultural Impact Assessment, Method Statement and Tree Protection Plan that accompanied the application (Ref: C10749/Arb/1.0, dated October 2022, produced by OMNIA)
- 14 Reason: For the avoidance of doubt and in the interest of proper planning.
- 15 Condition: All hard and soft landscape works shall be carried out in accordance with Drawing no: EML EXI 1202 01 Rev.E (Proposed Landscape Plan) and the Landscape Management Document (Ref: EML EXI 1202 02, dated 14 March 2023, produced by East Midlands Landscaping Limited) that accompanied the application other than in relation to the proposed new tree planting, of which further details are required to be submitted to, and agreed in writing by the Local Planning Authority. The works shall be carried prior to the first use of the development hereby permitted 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 otherwise agreed in writing by the Local Planning Authority.
- 15 Reason: For the avoidance of doubt and in the interests of proper planning and to ensure the development is properly landscaped in a timely fashion in the interests of the visual amenity of the locality in accordance with the NPPF and Development Plan.

- 16 Condition: Prior to commencement of development, timescales for the relocation of the current bus stop shall be submitted to and agreed in writing by the Local Planning Authority, and then implemented as agreed. Concurrently with the relocation of the bus stop currently located to the north of the Inspire Building to its new position adjacent to the entrance to the existing main car park, new bus stop signage shall be erected in a location to be agreed in writing by the Local Planning Authority informing users of the location of the temporary bus stop location. The signage shall be erected concurrently with the relocation of the bus stop and shall be retained as approved for the duration of the bus stops relocation.
- 16 Reason: In the interests of users of the bus service, and to enable the hospital to be properly accessed by public transport. This needs to be pre-commencement as the bus stop must be relocated before development commences..
- 17 Condition: The development hereby permitted shall be carried out in accordance with the Lighting Scheme & Light Pollution Assessment that accompanied the application (Ref: MSCP-EXI-XX-XX-DN-E-500101 Version P2, dated 26th September 2022), together with a lighting location plan that shall be submitted and agreed in writing by the Local Planning Authority. The lighting shall be provided as approved prior to the first use of the development hereby permitted.
- 17 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 18 Condition: The development hereby permitted shall be constructed in accordance with the Mitigation measures outlined in Chapter 5 of the Ecological Impact Assessment that accompanied the application (Prepared for Hexa Consulting Ltd, Ref: C10749/PEA/1.1 dated October 2022), and prior to first use of the development hereby permitted the Enhancement measures listed in Chapter 6 of the same report shall be implemented and thereafter be retained and maintained.
- 18 Reason: In the interests of ecology and biodiversity in accordance with the NPPF and Development Plan.
- 19 Condition: Notwithstanding the approved plans in condition 2, or the details submitted with the application, prior to their fixing, full details of the colour scheme for the proposed powdercoated profiled fins, shall be submitted to and approved in writing by the Local Planning Authority. This shall be implemented as agreed, and retained as such thereafter.
- 19 Reason: To ensure the impact upon the street scene and heritage assets is appropriate, and any adverse impact is minimized, in accordance with national policy set out in the NPPF.
- 20 Condition: Prior to first use of the car park hereby permitted, the new cycle parking area shall be fully implemented, to the written satisfaction of the Local Planning Authority.
- 20 Reason: To ensure there is suitable provision for cycle parking, and to encourage its use to access the site, in accordance with national and local planning policy to encourage sustainable travel.

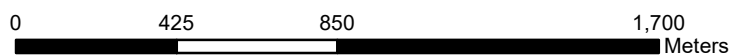


# 22/01756/FM Land of Sandy Lane & N & S of Walsoken F

Sandy Lane Walsoken PE14 7BJ



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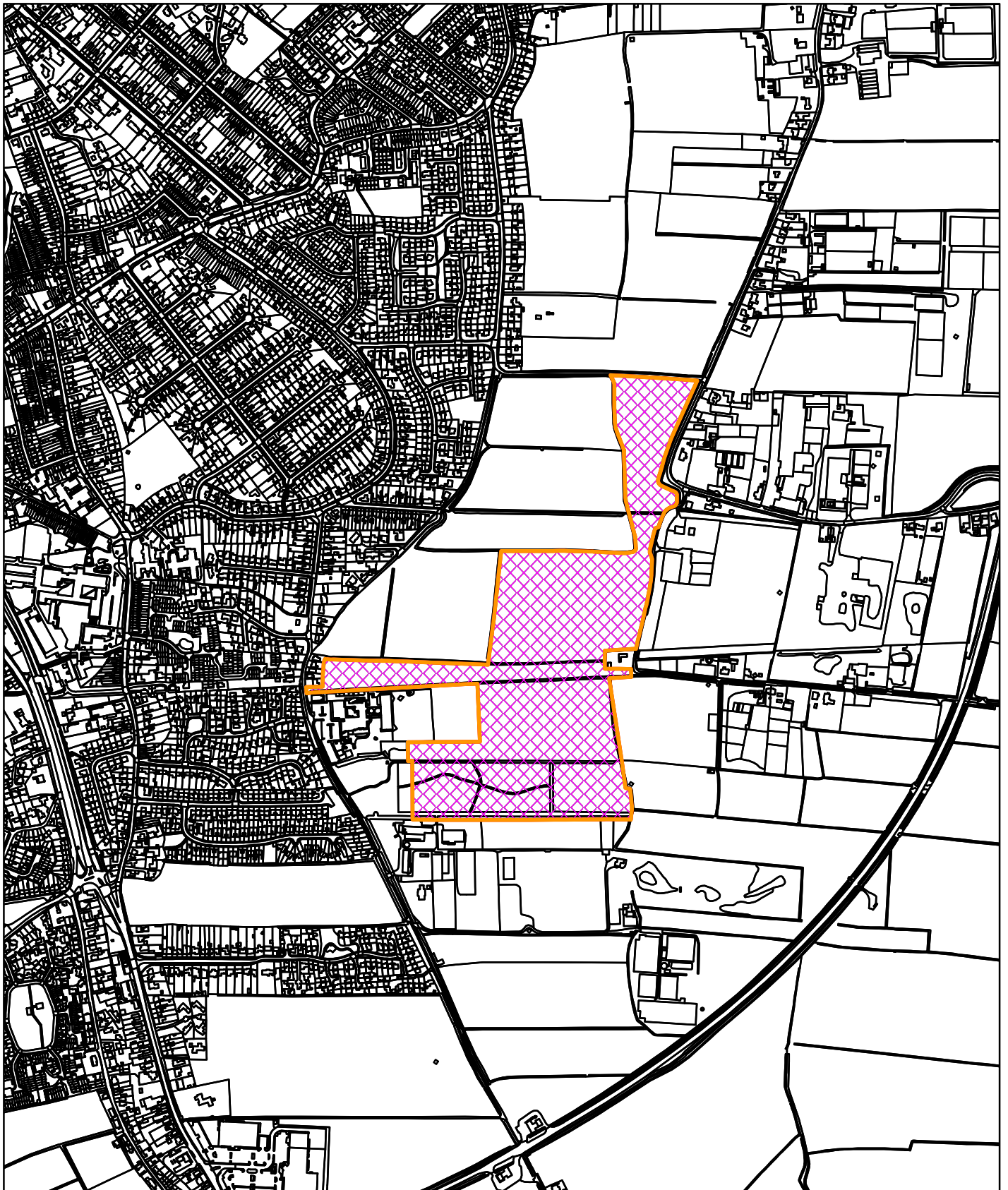
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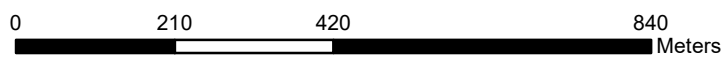


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Sandy Lane Walsoken PE14 7BJ



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<b>Parish:</b>	<b>Emneth Walsoken</b>	
<b>Proposal:</b>	<b>Hybrid application. Full planning permission for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure. Outline planning permission for a Community Hub/local centre comprising convenience store 300 m2, other retail/services/health 200 m2, parking/servicing, play areas/open space, 60 bedroom care home/extra care accommodation and C3 residential development with all matters reserved apart from access</b>	
<b>Location:</b>	<b>Land S of Sandy Lane And N And S of Walsoken Footpath Usrn 80483456 Sandy Lane Walsoken PE14 7BJ</b>	
<b>Applicant:</b>	<b>Prosperity Wealth And Developments Ltd</b>	
<b>Case No:</b>	<b>22/01756/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 16 February 2023 Extension of Time Expiry Date: 30 April 2023</b>

**Reason for Referral to Planning Committee** – this is a cross-boundary application and any decision to devolve decision-making must be made by the Planning Committee

**Neighbourhood Plan:** No

### **Case Summary**

This is a cross-boundary application duplicated with application ref: F/YR22/1256/F being processed by Fenland District Council. This report contains two elements: A) procedural issue regarding application ref: 22/01756/FM in accordance with the Local Government Act 1972 and B) response to consultation sought by Fenland District Council in relation to application ref: F/YR22/1256/F under application ref: 22/02080/CON.

The land comprises an irregular shaped area of 19.23 Ha of mostly agricultural land and orchards situated to the north, east and south-east of Meadowgate Academy (on Meadowgate Lane, Wisbech), west of Green Lane plus Broadend Road, and south of Sandy Lane in the parish of Walsoken. The County boundary between Cambridgeshire and Norfolk, bisects the site in a north-south alignment. Therefore approx. 4ha, or 20% of the overall site area, lies within our borough.

This is a hybrid application: Full planning permission is sought for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure; and Outline planning permission is sought for a Community Hub/local centre comprising convenience store 300m<sup>2</sup>, other retail/services/health 200m<sup>2</sup>, parking/servicing, play areas/open space, 60 bedroom care home/extra care accommodation and C3 residential development with all matters reserved apart from access.

The Community Hub/local centre, care home and approx. 59 dwellings lie within our part of the overall site.

Planning Committee  
24 April 2023

## **Key Issues**

Cross-boundary applications  
Planning considerations in response to consultation

## **Recommendation**

**A)** The Assistant Director (Environment & Planning) recommends that the Planning Committee devolves its decision-making authority to Fenland District Council in respect of this 'cross-boundary' application.

**B)** If A) is accepted, it is also recommended that the comments of Walsoken Parish Council, along with the other comments raised by statutory consultees, interested parties, plus any additional views of this committee, are to be forwarded to Fenland District Council for them to take into account in the decision-making process. This will also constitute the response to consultation sought by Fenland District Council in relation to application ref: F/YR22/1256/F under application ref: 22/02080/CON.

## **THE APPLICATION**

The land comprises an irregular shaped area of 19.23 Ha of mostly agricultural land and orchards situated to the north, east and south-east of Meadowgate Academy (on Meadowgate Lane, Wisbech), west of Green Lane plus Broadend Road, and south of Sandy Lane in the parish of Walsoken. The County boundary between Cambridgeshire and Norfolk, bisects the site in a north-south alignment. Therefore approx. 4ha, or 20% of the overall site area, lies within our borough.

This is a hybrid application: Full planning permission is sought for the erection of 325 dwellings with access off Sandy Lane, highways layout, public open space, landscaping and associated infrastructure; and Outline planning permission is sought for a Community Hub/local centre comprising convenience store 300m<sup>2</sup>, other retail/services/health 200m<sup>2</sup>, parking/servicing, play areas/open space, 60 bedroom care home/extra care accommodation and C3 residential development (flats over shops) with all matters reserved apart from access.

The Community Hub/local centre, care home and approx. 59 dwellings lie within our part of the overall site.

The application is accompanied by a Planning Statement, Design & Access Statement and surveys covering the following: Arboriculture, Cultural Heritage, Biodiversity, Ecology, Highways/Transport, Landscaping, Drainage, Flood Risk, Air Quality, Noise, Lighting, Utilities, Health Impact and Archaeology.

## **SUPPORTING CASE**

As stated above, the application is accompanied by a Planning Statement which concludes as follows:

“The proposals, it is considered, comply with the approved Broad Concept Plan identified in Policy LP7 Urban Extensions and Policy LP8 East Wisbech urban extension.

The reports that support the planning application have analysed the impact of development from technical and environmental considerations and the site is considered a sustainable and suitable location for development by virtue of the site's allocation in both the Council and the Borough Council in the Local Plans.

The proposals will be delivered in accordance with current building regulations and will be built in accordance with sustainable building construction techniques. The proposals seek improved energy efficiency through siting and design, SuDS and by considering fabric efficiency in the design of the buildings.

It is submitted that the proposals are considered policy compliant with both local and national planning policy. The proposal is in accordance with the development plans read as a whole and should be permitted without delay (Framework Paragraph 11). In so far as national policy is another material consideration to which significant weight should be given, national planning policy lends considerable weight to the granting of planning permission."

## **PLANNING HISTORY**

None relevant.

## **RESPONSE TO CONSULTATION**

**Walsoken Parish Council: COMMENTS** A large part of this application is in Fenland District Council/Wisbech Town Council. As the whole development will affect Wisbech more than King's Lynn, the Parish Council considers that the Borough Council are likely to defer to Fenland with recommendations. In light of this and the consultation we make the following comments/requests, and should the development be approved the Parish Council would like to have conditions attached to any approval some of which are as follows:

Broadend Road Industrial area has in excess of 100 people working there, several of whom walk or cycle from Wisbech, along the footpaths (mainly in summer) and Sandy Lane. Sandy Lane is not a good enough road to service this site. It needs widening, with footpaths and lighting. The speed limit on this Lane needs reducing from 60mph. Broadend Road, from Sandy Lane to the Broadend Road Industrial Site, also needs improvement, in width, and again with footpaths and lighting. The junction of Broadend Road and the A47 is an extremely dangerous junction, with waiting times to join the A47, often frustrating road users, causing dangerous manoeuvres. A roundabout should be a condition of any planning approval. There could be easily be 1000 cars on this site, which would make this junction lethal.

Also, in the absence of any improvement to the A47/Broadend junction it can foresee that there will be rat runs through the village, Burrett Road and Wheatley Bank for King's Lynn bound traffic with the associated speeding issues.

There are two footpaths/rights of way, that should be protected. These are mentioned in the application.

It is noted that should the development go ahead the Council will likely receive CIL Funding. [Officer note: Only the commercial/retail uses would attract CIL not the housing and care home on viability grounds.]

**Local Highway Authority (NCC): NO RECOMMENDATION – LACK OF INFORMATION -** Whilst the principle of development at this location has already been considered through

local plan allocations, there is a distinct lack of information available to carry out a robust assessment of the proposal. Therefore, NCC Highways is unable to make a recommendation at this stage.

**Local Highway Authority – Public Rights of Way Officer: HOLDING OBJECTION** - The Public Right of Way, known as Walsoken Footpath 1 is aligned in a roughly East-West direction towards the Eastern of the site. The proposals show this public footpath; however, the alignment does not appear to be correct. We therefore advise the applicant to obtain a Highway Boundary plan to ensure that the full legal alignment and extent (width) remains open and available. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

**National Highways: RECOMMEND NOT DETERMINED FOR A SPECIFIC PERIOD** - Our formal response requires review of the Transport Assessment that is currently being undertaken. For this reason, we require additional time to fully assess the proposed development. We therefore recommend the application is not determined before 24th April 2023. If we are in a position to respond earlier than this, we will withdraw this recommendation accordingly.

**Norfolk County Council – Community & Environmental Services: NO OBJECTION** subject to Section 106 obligation to provide education (£889,068) and library (£75 per dwelling) contributions in the absence of CIL payment, plus provision of fire hydrants (at least one per 50 dwellings).

**Norfolk County Council – LLFA: NO COMMENTS** - As the majority of the site and drainage system lie in Cambridgeshire within the Fenland District Council administrative boundary, it has been mutually agreed that Cambridgeshire LLFA will take the lead role in reviewing and providing a response for this consultation. We have collaborated with Cambridgeshire LLFA to ensure their review covers all outstanding issues.

**Historic Environment Services: NO OBJECTION** subject to condition regarding archaeological evaluation.

**District Emergency Planning Officer: NO OBJECTION** - Because of its location in an area that during an extreme flood event could become isolated from safe access and egress routes (i.e., become a dry island), I would suggest that the occupiers:

\* Should sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood))

\* A flood evacuation plan should be prepared (more details at [www.gov.uk/flood](http://www.gov.uk/flood)): This will include actions to take on receipt of the different warning levels; Evacuation procedures e.g. isolating services and taking valuables etc.; and Evacuation routes.

**Natural England: FURTHER INFORMATION REQUIRED TO DETERMINE IMPACTS ON DESIGNATED SITES** - A Habitats Regulations Assessment, proceeding to Appropriate Assessment.

**Environmental Health & Housing – Environmental Quality: NO OBJECTIONS** subject to contamination conditions; additional information regarding air quality required and condition relating to EV charging scheme.

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTIONS** subject to conditions relating to boundary treatment plan implementation, lighting, noise protection scheme, construction management plan, ventilation and plant details, air source heat pump details plus informative notes.

**Strategic Housing Officer:** Comments awaited at the time of writing this report.

**Anglian Water: NO OBJECTION** subject to condition regarding foul water drainage details.

**King's Lynn Drainage Board:** No comments received at the time of writing this report.

**Environment Agency: HOLDING OBJECTION** - We have undertaken Tidal Hazard Mapping for the River Nene, which illustrates the hazard to the site in the event of an overtopping and breach of the defences in a 1 in 200 year event, both now and in the future (taking into account the impacts of climate change up to the year 2115). The information available includes depth, velocity, rate of onset of floodwater and the duration that water is expected to remain on site. This site is located in an area shown to flood in such an event, with depths of ponded floodwater identified as up to 0.25 metres at this site. The FRA does not therefore adequately assess the flood risks posed by the development. In particular, the FRA fails to: • Give consideration to the breach depth and velocity at the site for different return periods up to and including the 1:200 year or 0.5% probability (plus climate change) tidal event. Appropriate mitigation should be provided to ensure that the development and occupants will be safe in the event of overtopping/breach of the defences.

## **REPRESENTATIONS**

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

- Inadequate roads
- Local medical practices and schools are already oversubscribed
- Loss of amenity for wildlife
- Loss of trees, which are vital to the environment.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS10** - The Economy

**CS11** – Transport

**CS12** - Environmental Assets

**CS13** - Community and Culture

**CS14** - Infrastructure Provision

**Policy F3.1** - Wisbech Fringe Land east of Wisbech (west of Burrowgate Road)

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

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

**DM2** – Development Boundaries

**DM9** - Community Facilities

**DM10** – Retail Development

**DM12** - Strategic Road Network

**DM15** – Environment, Design and Amenity

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

**DM17** - Parking Provision in New Development

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

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

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

### **PLANNING CONSIDERATIONS**

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

- Cross-boundary applications
- Planning considerations in response to consultation

#### **Cross boundary applications**

The application affects both King's Lynn and West Norfolk Borough Council (KLWNBC) and the neighbouring Fenland District Council. In accordance with National Planning Practice Guidance (Paragraph: 011 Reference ID: 14-011-20140306) where an application site straddles one or more local planning authority boundaries, it is necessary to submit identical applications to each planning authority, identifying which part of the site is relevant to which authority. This has been done.

The planning fee is payable to the authority of whichever area contains the largest part (within the red line) of the whole application site. In this case Fenland District Council has the greater site area (i.e., 80%) and has been paid the appropriate fee.

In the absence of alternative administrative or statutory arrangements, a planning application should be determined by the planning authority in whose administrative area the development proposed is to be carried out. In the case of cross boundary applications, this can lead to two planning authorities making individual determinations, imposing different



conditions on the permissions, if approved, or could lead to a conflict in the decision-making process (approve/refuse).

Although there is no set guidance on dealing with such applications, the latter course of action is not recommended as it does not promote a co-ordinated approach to development management and may result in inconsistency in terms of conditions, obligations or indeed where one authority recommends approval and the other refusal. This is highly undesirable in terms of achieving a co-ordinated approach to delivering development and contrary to the overall tenor of Government Guidance, which encourages 'joint working' between planning authorities in relation to the use of their planning powers.

In this case, the majority of the development site is under the control of Fenland District Council. Section 101(1) of the Local Government Act 1972 authorises a Local Authority to arrange for the discharge of functions by any other local authority. For KLWNBC, this would mean that the Council can delegate its development control function to Fenland District Council in respect of this cross-boundary application.

Given that 80% of the application is in Fenland DC area, Members are recommended to transfer decision-making authority on the 20% in KLWNBC area, to Fenland DC.

### **Planning considerations in response to consultation**

The adopted Planning Policy Framework for East Wisbech is as follows:

Fenland Local Plan (Adopted May 2014)

- Policy LP4 – Housing: 3,000 new dwellings for Wisbech
- Policy LP8 – Wisbech: confirms East Wisbech as a strategic allocation in the plan for around 900 dwellings in the FDC area.

King's Lynn and West Norfolk Borough Council Local Plan (Core Strategy adopted July 2011)

- Policy CS09 - Housing Distribution, identifies at least 550 new dwellings to the east of Wisbech

Site Allocations and Development Management Policies Plan (adopted September 2016)

- Policy F3.1, establishes an allocation of land East of Wisbech (west of Burrettgate Road, north and south of Sandy Lane and west of both Broadend Road and Green Lane). This land adjoins the land set out in the Fenland Local Plan under Policy LP8.

A Broad Concept Plan (BCP) dated May 2018 was approved by Fenland's Planning Committee on 23 May 2018 and approved by King's Lynn and West Norfolk's Cabinet on 29 May 2018. The Broad Concept Plan provides a template for development in East Wisbech to assist developers, landowners and agents to deliver their sites in a timely way.

Figure 19 of the BCP provides the indicative land uses within the Community Hub of the allocation. The blue circle shown indicates the broad location of the Local Centre, which falls within the application site close to the junction of Sandy Lane and Broadend Road. The proposals respond to this by the inclusion of a Community Hub/local centre comprising convenience store (300m<sup>2</sup>), other retail/services/health (200m<sup>2</sup>), parking/servicing, play areas/open space, 60-bedroom care home/extra care accommodation and C3 residential development – the latter being a full application but the hub in outline only.

In the interim Fenland District Council has consulted on its draft Local Plan 2021-2040. This proposes to omit the wider allocated area on the fringe of Wisbech. KLWNBC has objected to this proposal as it significantly affects our allocation under Policy F3.1. However, the application will be considered and judged against current adopted planning policy identified above.

## **CONCLUSION**

It is recommended that, in accordance with Section 101(1) of the Local Government Act 1972, the Planning Committee delegates its development control powers to Fenland District Council in respect of Application 22/01756/FM. This would allow a single determining authority for the application, with Fenland District Council having the majority of the site in their area.

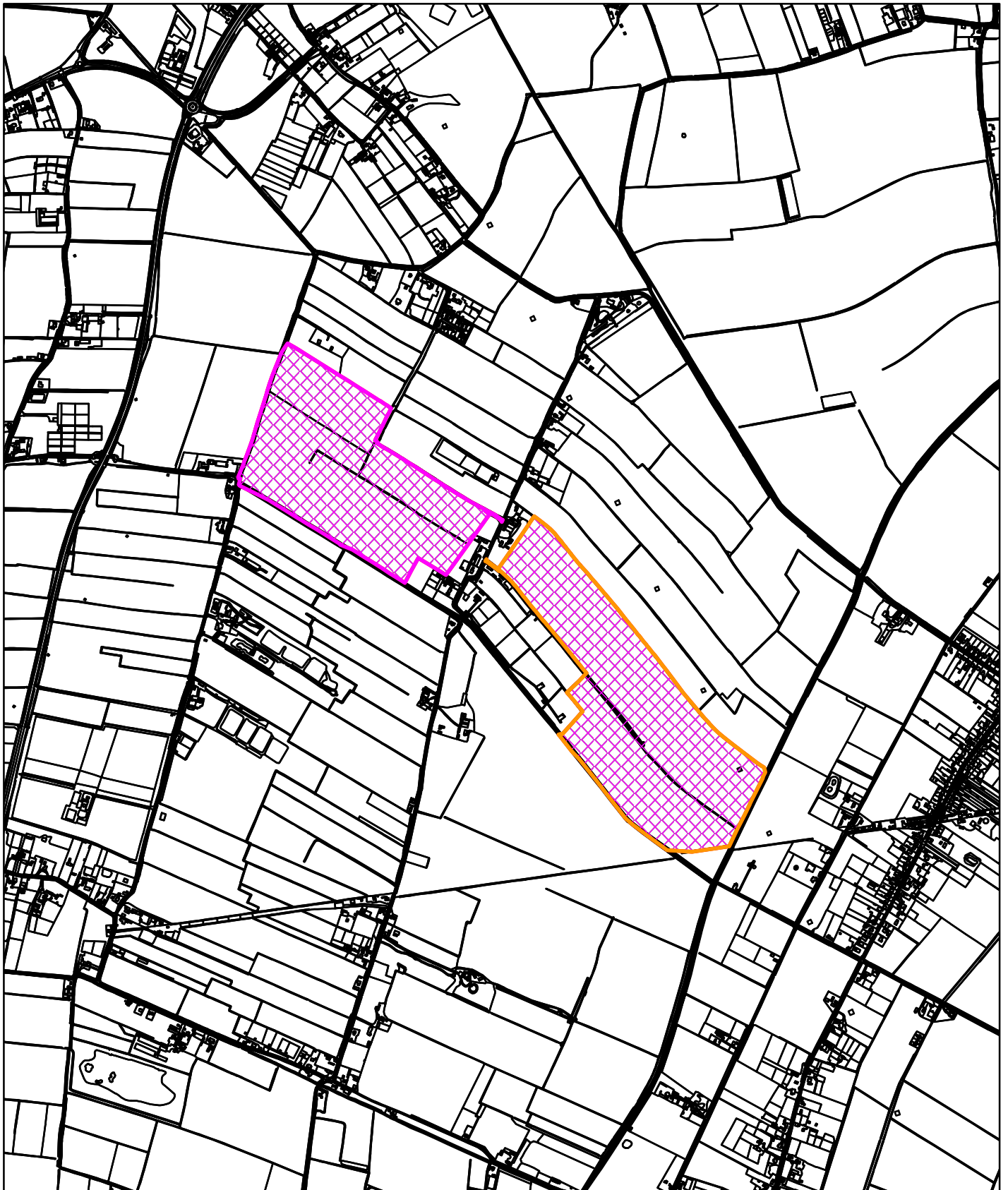
The comments of Walsoken Parish Council, along with the other comments raised by statutory consultees, interested parties, plus any additional views of this committee, are to be forwarded to Fenland District Council for them to take into account in the decision-making process.

## **RECOMMENDATION**

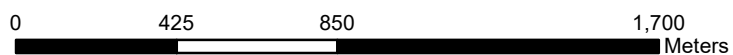
- A) The Assistant Director (Environment & Planning) recommends that Planning Committee devolves its decision-making authority to Fenland District Council in respect of this “cross-boundary” application.
- B) If A) is accepted, it is also recommended that the comments of Walsoken Parish Council, along with the other comments raised by statutory consultees, interested parties, plus any additional views of this committee, are to be forwarded to Fenland District Council for them to take into account in the decision-making process. This will also constitute the response to consultation sought by Fenland District Council in relation to application ref: F/YR22/1256/F under application ref: 22/02080/CON.

22/01987FM

Land SE of Poplar Farm Harps Hall Road Walton Highway PE14 7DL



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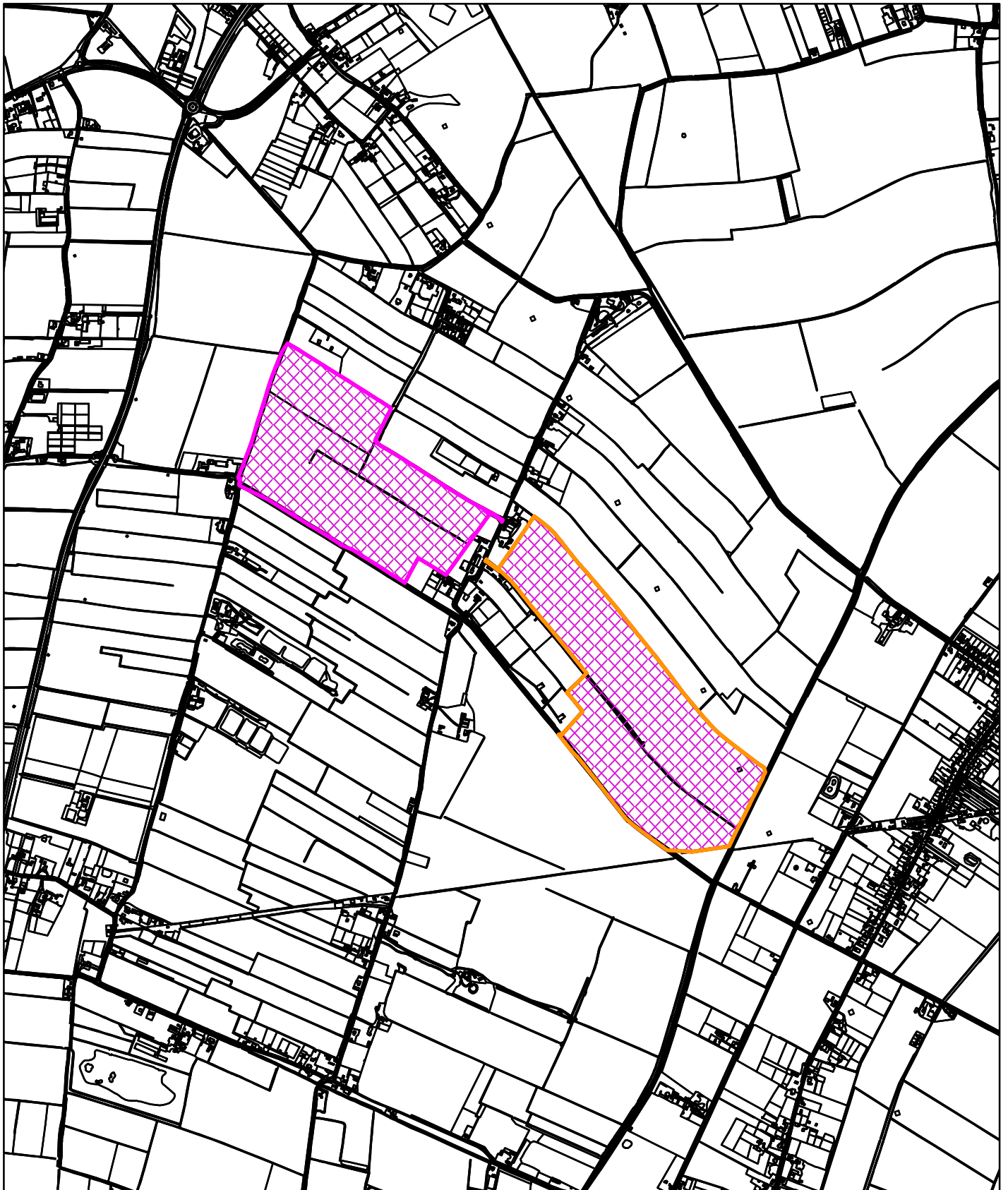
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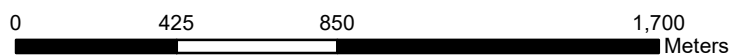


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<b>Parish:</b>	<b>Walsoken Marshland St James West Walton</b>	
<b>Proposal:</b>	<b>Installation, operation, and decommissioning of solar farm comprising an array of ground mounted solar PV panels and battery storage system with associated infrastructure including inverters and a substation compound as well as fencing, security cameras, cabling and bio diversity enhancement measures.</b>	
<b>Location:</b>	<b>Land SE of Poplar Farm Harps Hall Road Walton Highway PE14 7DL</b>	
<b>Applicant:</b>	<b>Downing Renewable Developments LLP</b>	
<b>Case No:</b>	<b>22/01987/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Lorna Gilbert</b>	<b>Date for Determination: 16 February 2023 Extension of Time Expiry Date: 28 April 2023</b>

**Reason for Referral to Planning Committee** – – Parish Council objects to the proposed development

**Neighbourhood Plan:** No

**Case Summary**

Planning permission is sought for approximately 125,000 ground mounted solar panels, and Battery Energy Storage System (BESS) with associated infrastructure including inverters and substation compound. The panels would rise to approximately 3.1m at their highest point. The export capacity would not exceed 49.9MW. All cabling from the site to the substation would be installed underground and can be fed into the national grid network.

The proposal includes a 2.5m high perimeter deer fence, with additional 3m high palisade fencing for security to the proposed battery and substation compound. Boundary planting is also proposed.

CCTV cameras mounted on poles measuring up to 3.3m in height facing into the site are proposed.

No lighting is proposed around the site perimeter, although passive infrared sensor lighting will be installed around the substation and battery compound. Lighting can be conditioned.

The application site is approximately 87 hectares and the solar panels and associated works would cover approximately 33 hectares, with the remaining 54 hectares dedicated to biodiversity enhancements and 0.9 hectares of bramble scrub to be retained.

The site is a mixture of agricultural land classification grades 3a and 3b, with small pockets of grade 2. The site is presently in agricultural use and has been used for growing energy crops to produce biomass, which is burnt to produce energy.

The site comprises of parcels of land on either side of Harp's Hall Road. Both would be accessed from this road.

Planning permission is sought for a temporary 30 year operational period, prior to being fully decommissioned and the site restored.

The development is EIA development. The development was screened and scoped under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The impacts have been considered in the Environmental Statement which has been submitted as part of the application.

### **Key Issues**

Principle of Development including EIA  
Loss of Agricultural Land  
Landscape and Visual Impact  
Impact on neighbour amenity  
Highway Safety, Access and Traffic  
Hydrology and Flood Risk  
Ecology  
Historic Environment  
Glint and Glare  
Crime and Disorder  
Other Material Consideration

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

Planning permission is sought for approximately 125,000 ground mounted solar panels, and Battery Energy Storage System (BESS) with associated infrastructure including inverters and substation compound. The panels would rise to approximately 3.1m at their highest point. The export capacity would not exceed 49.9MW. All cabling from the site to the substation would be installed underground and can be fed into the national grid network.

Each line of proposed Solar PV panels would be approximately 3.5m apart to avoid shading. They would be tilted 15 to 25 degrees and orientated to face south-westwards.

Proposed Substation and BESS Compound:-

The BESS and substation would be located together. They will be located on an area of proposed hardstanding. This proposed compound would measure approximately 390m<sup>2</sup> and be located by the western boundary near Meer Dyke Lane and will contain:

- Security fencing – up to 3.3m high.
- Substation – 12 x 2.5 x 4.8m maximum height from the ground.
- BESS Container (10 no.) – 12.2 x 2.5 x 4.8m maximum height; and
- Transformer and Switch Gear Kiosks – 5 x 5 x 5m maximum height.

The dimensions include a 0.8m gap at ground level for maintenance, except the Transformer and Switch Gear Kiosks.

The battery containers would be grey in colour (RAL 9035), which can be controlled via a condition.

The proposal includes a 2.5m high perimeter deer fence. Boundary planting is also proposed.

CCTV cameras mounted on poles measuring up to 3.3m in height facing into the site are proposed.

No lighting is proposed around the site perimeter, although passive infrared sensor lighting will be installed around the substation and battery compound. Lighting can be conditioned.

The application site is approximately 87 hectares and the solar panels and associated works would cover approximately 33 hectares, with the remaining 54 hectares dedicated to biodiversity enhancements and 0.9 hectares of bramble scrub to be retained.

The site is a mixture of agricultural land classification grades 3a and 3b, with small pockets of grade 2. The site is presently in agricultural use and has been used for growing energy crops to produce biomass, which is burnt to produce energy.

The site comprises of parcels of land on either side of Harp's Hall Road. Both would be accessed from this road.

Planning permission is sought for a temporary 30 year operational period, prior to being fully decommissioned and the site restored.

The development is EIA development. The development was screened and scoped under the Town and Country Planning (Environmental Impact Assessment) Regulations 2017. The impacts have been considered in the Environmental Statement which has been submitted as part of the application.

The nearest Site of Special Scientific Interest (SSSI) is Islington Heronry which is located around 8.1km away. It is a small Oak woodland designated for its breeding grey heron population. The application site is within its Impact Risk Zone.

The Natural Nature Reserve (NNR), Special Protection Area (SPA) associated with 'The Wash' is approximately 20km from the site. The site is within the SSSI Impact Risk Zone.

The nearest Special Area of Conservation (SAC) is the Ouse Washes which is around 10.7km from the site.

## **SUPPORTING CASE**

1.1 Planning approval is sought by the Applicant for the installation, operation and decommissioning of a solar photovoltaic (PV) farm with associated infrastructure, including battery storage for a period of 30 years on land south-east of Poplar Farm, Harps Hall Road, Walton Highway, Wisbech. The planning application was submitted in October 2022 and the associated reference number is 22/01987/FM. The Applicant is Downing Renewable Developments LLP, whose parent company, Downing LLP, were formed in 1986 and are an experienced renewable energy developer and operator. Downing LLP generate 371,000 megawatt-hours (MWh) of renewable energy each year with an installed capacity of over 400MW.

- 1.2 The Application Site has been identified as a result of a systematic and strategic regional appraisal which has considered a number of key land use, technical and environmental parameters with the overall objective of optimising the provision of clean, renewable energy to the grid.
- 1.3 In summary, the proposed solar panels, battery compound and access tracks will cover an area of approximately 70 Ha across the site, with some 54 Ha throughout the site dedicated to biodiversity enhancement. The Development has a capacity in the region of 49.9MW of clean energy, including associated battery storage. It is therefore estimated to be capable of powering enough renewable energy to power approximately 12,000-14,000 homes. It would make a valuable contribution to legally obligated climate change targets and government policy objectives; thereby implementing Government policy, which encourages more electricity generation from renewable sources.

## 2. Benefits and the Need for Development

- 2.1 The Applicant sought to front load the design by engaging with the Council, key stakeholders, and the wider community throughout the process. A successful community consultation was held in August 2022 where feedback on the proposals was received and taken into consideration in the design development. This is reported further in the Planning Statement. The final layout has been directly informed by feedback from the consultation event, including reducing the overall panel height and providing appropriate boundary treatment to mitigate potential visual effects. The Applicant is committed to ongoing engagement and consultation with key stakeholders throughout all phases of the development and operational process.
- 2.2 This site has been carefully selected to accommodate the Development and maximise the energy output of the land without compromising the environment or surrounding amenity. Key benefits of the proposed development are set out below:
  - The Development has been designed to extract the maximum possible energy output from the land, making the most efficient use of the resource available.
  - The Development has a generation capacity in the region of 49.9MW of clean energy, capable of powering enough renewable energy to power approximately 12,000-14,000 homes.
  - The development would act to diversify the energy mix, promote security of supply, and accelerate the transition to a low carbon economy.
  - Flexible management of output to the grid through provision of non-intrusive battery storage.
  - Positive impact on the local economy with a commitment by the Applicant to utilise the local workforce to develop, construct and operate the project during its lifespan.
  - A one-off Community Benefit cost, approved and distributed via the Local Parish Councils including 2 free residential solar installations per applicable Parish Council per year.
  - Approximately 54Ha of the site would be dedicated to biodiversity enhancement measures, plus the retention of 0.9Ha of retained bramble scrub. Based on the current landscape designs, it would be possible to achieve a 10% biodiversity net gain at the Site, comprising a 176.12% net gain for area-based habitats, a 1100.96% net gain for hedgerows and a 29.05% net gain for rivers.

## 3. Key Planning Policy Considerations

- 3.1 Further to a positive screening process under the Environmental Impact Assessment (EIA) Regulations, the application was supported by a robust EIA which considered landscape and visual effects, potential effects on ecology and the cumulative impact



with surrounding development. No significant effects were identified through this process. The application was also supported by a suite of environmental surveys and reports which have informed the design process and ultimately demonstrate that the receiving environment is capable of facilitating development of this scale and nature.

- 3.2 One of the key matters raised through the design process was potential effects on agricultural land and the Applicant appreciates that a balance must be struck between the potential temporary loss of pockets of good quality agricultural land within the site boundary and the significant contribution the proposed development will make to the delivery of renewable energy infrastructure. We would highlight that impacts on areas of prime agricultural land have been minimised where possible through the design process.
- 3.3 Additional information on this matter was submitted by the Applicant on 1st February 2023 where it was highlighted that the Site is currently used to grow energy crops which are sent to an anaerobic digester which is located over 20-miles away, to produce biogas. We would highlight that:
- There will be no significant impact on food security as a result of the development and overall, the land would be utilised more sustainably than at present;
  - The land will have an extended fallow period through the operational phase of the solar farm, which enables the long-term recovery of the soil health, addressing the degradation of several years of intensive arable farming for energy crops; and,
  - There will be no significant effect on the overall supply of prime agricultural land in the locality or the wider region as a result of the development.
- 3.4 Overall, it is concluded through the application process that the Development draws significant support from the Development Plan and in particular Policy DM20, Renewable Energy, as the benefits of the proposals significantly outweigh the potential impacts, which are minimal.
- 3.5 The Development is considered 'sustainable' and crucially therefore responds positively to the key aspects of the National Planning Policy Framework (NPPF) and Policy DM1, Presumption in Favour of Sustainable Development which recommends that such development should be "approved without delay, unless material considerations indicate otherwise".

## PLANNING HISTORY

No relevant history.

## RESPONSE TO CONSULTATION

Parish Council:

West Walton Parish Council: **OBJECT**

West Walton Parish Council does not support this planning application for the following reasons:

- There are concerns about the close proximity of the solar panels to existing housing and the height at which the panels will be placed. It is understood that the panels will

be taller than the panels at the Rose & Crown solar farm at West Walton and Walpole St Andrew.

- The level of noise and disturbance that will be inflicted upon the residents during construction, throughout the lifetime of the operation of the Solar Farm, and its decommissioning.
- The damage that could be caused, during delivery of construction materials to the site, to the existing poorly maintained roads.
- The site is within flood zone 3 and residents have concerns that the development may impact upon existing drainage performance on the land that could pass flooding issues onto neighbouring properties.
- Contrary to Policy CS06, the proposed application will not “protect the countryside for its intrinsic character and beauty”.
- Contrary to Policy CS10, Development should be “appropriate in size and scale to the local area” and “the proposed development and use will not be detrimental to the local environment or local residents”.
- There will be a significant loss of agricultural land.
- The Parish Council continues to support the concerns of the residents in the locality of the proposed Solar Farm at land at Blunts Drove/Harps Hall Road/Meerdyke Lane/Smeeth Bank.

Marshland St James Parish Council: **SUPPORT**

Sightings of Little Egrets have been documented at the site in question, please include this species when considering the ecology of the site.

We have no further comments and the Council support the application.

Walsoken Parish Council: **OBJECT**

- The proposed solar farm is a fire risk and there is no reference to whether or not the local fire station have been made aware of the location of these batteries and concern as to whether they would be equipped to deal with a lithium battery fire on a large scale;
- Potential flood risk with drilling into current drains. The Wisbech relief drain runs past the properties in question and this drain has previously filled to bursting point;
- The land in question is good grade arable land and should remain so being used for food particularly in the current economic climate. The loss of this land would be detrimental;
- The solar farm will not be in keeping with the area with CCTV and floodlighting causing light pollution. Will the site be floodlit once it is complete or is this only planned during the construction phase?
- Additional traffic and noise during the construction phase;
- The roads are not suitable for construction traffic;
- The proposed deer fencing and hedges along with the floodlights will be unsightly and will also restrict the movement of wildlife around the area;
- The site will encourage people and potentially vandals to the area and they will in turn cause damage to land and property;
- Local walks and wildlife are being placed under threat.

Walsoken Parish Council and residents are disappointed that they are not being fully included in the consultation and hope that their views will be considered.

Natural England: **NO OBJECTION**

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

Under the Town and Country Planning (Development Management Procedure) (England) Order 2015 (DMPO) Natural England is a statutory consultee on development that would lead to the loss of over 20ha of 'best and most versatile' (BMV) agricultural land (land graded as 1, 2 and 3a in the

Agricultural Land Classification (ALC) system, where this is not in accordance with an approved plan.

From the description of the development this application is likely to affect 36.50ha of BMV agricultural land (Ecological Impact Assessment & Soil Health, Ramboll UK Limited, September 2022). We consider that the proposed development, if temporary as described, is unlikely to lead to

significant permanent loss of BMV agricultural land, as a resource for future generations. This is because the solar panels would be secured to the ground by steel piles with limited soil disturbance and could be removed in the future with no permanent loss of agricultural land quality likely to occur, provided the appropriate soil management is employed and the development is undertaken to high standards. Although some components of the development, such as construction of a sub-station, may permanently affect agricultural land this would be limited to small areas of which 0.0048 ha is BMV agricultural land.

However, during the life of the proposed development it is likely that there will be a reduction in agricultural production over the whole development area. Your authority should therefore consider whether this is an effective use of land in line with planning practice guidance which encourages the siting of large scale solar farms on previously developed and non-agricultural land. Paragraph 174b and footnote 53 of the National Planning Policy Framework (NPPF) states that:

'Planning policies and decisions should contribute to and enhance the natural and local environment by:

recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services – including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.'

Footnote 53: Where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality. We would also draw to your attention to Planning Practice Guidance for Renewable and Low Carbon Energy (March 2015) (in particular paragraph 013), and advise you to fully consider best and most versatile land issues in accordance with that guidance.

Local planning authorities are responsible for ensuring that they have sufficient information to apply the requirements of the NPPF. The weighting attached to a particular consideration is a matter of judgement for the local authority as decision maker. This is the case regardless of whether the proposed development is sufficiently large to consult Natural England.

Soil is a finite resource which plays an essential role within Sustainable ecosystems, performing an array of functions supporting a range of ecosystem services, including storage of carbon, the infiltration and transport of water, nutrient cycling, and provision of food. It is recognised that a proportion of the agricultural land will experience temporary land loss. In

order to both retain the long term potential of this land and to safeguard all soil resources as part of the overall sustainability of the whole development, it is important that the soil is able to retain as many of its many important functions and services (ecosystem services) as possible through careful soil management and appropriate soil use, with consideration on how any adverse impacts on soils can be avoided or minimised.

Consequently, Natural England would advise that any grant of planning permission should be made subject to conditions to safeguard soil resources and agricultural land, including a required commitment for the preparation of reinstatement, restoration and aftercare plans; normally this will include the return to the former land quality (ALC grade).

We would also advise your authority to apply conditions to secure appropriate agricultural land management and/or biodiversity enhancement during the lifetime of the development, and to require the site to be decommissioned and restored to its former condition when planning permission expires.

Environmental Quality: **NO OBJECTION**

In terms of air quality and contaminated land we have no objection subject to conditions.

CSNN: **NO OBJECTION**

Will require planning conditions, to ensure there is no adverse impact on residents in the area.

We would not be in support of the site working hours as identified within the Transport Statement on page 23 in section 3.3.2. In this district, particularly in areas where it is more rural and background noise levels are low (like here), our expected site hours are 0800-1800hrs weekdays and 0900-1300hrs Saturdays, with no work on Sundays, Bank or Public holidays. To keep the period of work close to the quoted 34 weeks, we could compromise with 0700hrs start (1800hrs end) weekdays for contractor arrival/toolbox talks etc, provided no HGV movements, deliveries or plant operations occur before 0800hrs. We could also compromise with 0900-1600hrs on Saturdays. Site hours should be included (as advised) in a CMS – please condition this.

I am concerned about the eastern array site access point – immediately adjacent to a residential bungalow. Whilst I note this is where there is an existing access track, I would like to ask if there is any scope for moving the access further northwards to a point more centrally located between ‘Poplar Farm Bungalow’ (to the north) and ‘Linward’ (to the south).

If this cannot be facilitated by means of a planning condition/revision to the plans/scheme, for the duration of the construction and the decommissioning phases, then in order to protect ‘Linward’ from vehicle noise and dust from the use of the track, I request that a condition is attached requiring a minimum 2m high solid barrier/hoarding is erected along the southern boundary to be retained during those two phases.

Whilst I note the information regarding minimal lighting, please condition this so this can be fully assessed prior to installation.

I note the two site layouts (west and east array) have been designed to avoid any infringement on the existing drains through the sites. However, there are some specific comments/aspects within the KLDB/WMA response, including ground (underdrainage) and infiltration testing, and possible easements needed for the drains along some boundaries, which need attention prior to the development of the site - we support their comments and recommend a land/surface water drainage condition.

Ecology: **NO OBJECTION**

- A Construction Environmental Management Plan (CEMP) must be submitted. The attached note outlines what should be included in that document for our approval.
- The CEMP should clearly specify that works with the potential to cause disturbance of barn owls nesting in habitat should be preceded by a nest check by a licensed barn owl ecologist
- The CEMP should include precautionary method statements for otter, water vole, badger and birds
- A lighting strategy must be included either as a separate document or within the CEMP
- Badger gates should be checked more frequently than specified in the Habitat Management Plan (HMP) (annually is prescribed). I've suggested weekly as weekly site visits to monitor badger are specified in the Ecology Impact Assessment (EclA) (Appendix 4) and the gates could be checked at the same time to ensure access routes to active setts are not obstructed. As such they should update the HMP and include this in the CEMP. ~ I should note however that I can't find any guidance that specifies exact monitoring schedules of two-way badger access gates. However, annually could mean that if the gate become defective it wouldn't be picked up for a long period of time which could result in badgers being trapped or illegally excluded from their setts (worst case scenario) or badgers digging under the fence.
- The Biodiversity Net Gain (BNG) report specifies that the HMP will outline 30 years of habitat management. It's unclear if this is the case in the HMP as only the first 10 years are covered. It's not noted if this will roll over to the next 20 or not following review at 10 years. The 30 years is going to be mandatory when net gain comes in in November but at the moment it is not so it's only a consistency issue at this point.

I am pleased to see mitigation recommended in the survey reports has been pulled through to the BNG and HMP.

Should you be minded to grant permission the following conditions and informative are recommended, which will:

- safeguard enhancement of the site for biodiversity
- ensure sensitive clearance of the site for birds
- secure provision for the management of the site for landscape and ecology in the long-term

National Highways: **NO OBJECTION**

Due to the nature of the proposed development, it is considered unlikely to have a long term impact material on the Strategic Road Network. Consequently, we offer no objection to this application.

Highways Authority: **NO OBJECTION**

I observe from the submitted Transport Statement that the applicant has made a thorough assessment of the proposed haul route to be utilised during the construction period and has identified areas where there are width concerns along the length. In principle, being aware of this route, I agree with their assessment and I additionally observe that the applicant has proposed mitigation measures in the form of passing bays, route signing, condition surveys, which preempt a recommended requirement from us.

However, the passing bay(s) construction/positions, route signing and final Construction Traffic Management Plan details are yet to be formally agreed but the principles of the route

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with mitigation would be accepted for the construction period proposed. As a result I am satisfied that such detail could be finalised through the requirements and processes of standard conditions.

**NCC Historic Environment: NO OBJECTION**

This area is rich in evidence of Roman occupation and industrial activity (salt making). If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework. Conditions are requested.

**NCC LLFA: NO OBJECTION**

Generally, with a solar farm proposal, a portion of the site will comprise of proposed solar (PV) panels and energy storage facilities, whilst the remainder of the site comprises of the existing grassed spacing between rows and field margins. The design of photovoltaic (PV) panels means that the area represented by the proposed panels is not considered impermeable, as the ground beneath all panels will be grassed and as such remains permeable.

This common setup means sites are usually considered 95% permeable, but associated infrastructure like battery storage units, solar stations, substations, internal roads should be considered as fully impermeable.

It should also be noted however that panel arrays can sometimes be very long and also pitched together which needs to be assessed differently and may require a different drainage strategy. Also, some panel types have wide pad foundations which can affect overall PIMP of the site.

Rainfall will drain freely off the panels onto the ground beneath the panels where the surface remains permeable. Thus, the total surface area of the photovoltaic array is not considered to act as an impermeable area and the impact is assumed to be nil. However, the nature of the underlying groundcover and antecedent conditions can have a demonstrable influence on the surface water run-off characteristics of a site, i.e. if the ground cover beneath panels is proposed as bare earth which is susceptible to hardening in summer months, then peak discharges can increase significantly. As such, it should be ensured as part of any proposed scheme that grass or wildflower cover will be well maintained across the site to ensure that such proposed schemes will not increase the surface water run-off rate, volume or time to peak compared to the pre-development situation. This will also help provide net biodiversity gain\*.

You should satisfy yourself that the applicant has demonstrated compliance with;

- The National Planning Policy Framework (“NPPF”) paragraphs 155 - 165 by ensuring that the proposal would not increase flood risk elsewhere and will incorporate sustainable drainage systems.

The applicant should also demonstrate how the proposal accords with national standards and relevant guidance. If the proposal does not accord with these the applicant should state their reasoning and the implications of not doing so. The key guidance available is set out below;

- Planning Practice Guidance - Flood Risk and Coastal Change

To ensure that development is undertaken in line with Paragraph 167, 169 and 174 of the NPPF the LLFA recommends that LPAs satisfy themselves of the following considerations prior to granting permission for major development below LLFA thresholds:

1. Is the development site currently at risk of flooding? The application submission should include a site-specific assessment of the risk of flooding to the development site from all sources. The risk of flooding on the current site should be acknowledged using national flood risk datasets such as the EA's Risk of Flooding from Surface Water maps. If any areas at risk of flooding are identified, development should avoid these areas in line with NPPF. Where this cannot be achieved a robust strategy should be provided that includes adequate flood resilience measures incorporated in the design. This may require an emergency flood plan where appropriate.
2. How does the site currently drain? The method through which the site currently drains should be described, such as whether there are existing infiltration features, ordinary watercourses within or at the boundary of the development, or existing surface water sewer infrastructure. Land drains are common, especially in previously agricultural land, and do not comply with good SuDS practice.
3. Restrict vehicular movements on site to designated access tracks. In doing so, the risk of soil compaction is minimised and limited to specific locations. The applicant should design the vehicular access tracks to be permeable (e.g. gravel medium) to mimic the existing surface conditions.
4. Rutting during the operation phase is also another common problem with solar farm sites, especially during intense storms at the foot of the panels. This can alter natural flow paths and should be avoided where possible.
5. Specify what type of vegetation will be planted across the site and how will it be managed/maintained in perpetuity. The ideal situation is that vegetation is grassed and is kept reasonably high or grazed by livestock. Good vegetation cover will limit the transfer of sediments and slow the flow of water.
6. Where required a Drainage strategy should be provided for any large impermeable substation and compound areas.
7. If there are any concerns with residual risk, due to concentrated rainfall (flash events etc), then simple shallow features (e.g. 0.6m deep) like linear swales or filter drains could be proposed along the lowest parts of the site to capture any exceedance. No runoff should leave the site up to the 1% AEP+CC storm.
8. A Construction Environmental Management Plan (CEMP) should also be provided.

**PROW: NO OBJECTION**

Comments from 19.1.23:

Given the submission of the more detailed red line plan we are agreeable to removing the holding objection on this application as the width of the track appears to be unaffected by the proposal.

Comments from 8.12.22:

An application for a new Public Right of Way along the track, known as Smeeth Bank, directly adjacent to the south-eastern boundary of the proposed site has been submitted. The application is for a Restricted Byway status which if successful would allow walkers, cyclists and horses to use the track, we would therefore like this to be taken into consideration regarding landscape and visual considerations.

The site boundary plan appears to incorporate the width of the Smeeth Bank track, and we request clarification as to its exact alignment, and that of the proposed 5m landscape buffer and boundary fence.

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Should the application be successful the full legal extent of this PROW must remain open and accessible for the duration of the development and subsequent occupation.

National Grid Electricity: **NO OBJECTION**

It has been found to not affect the NGET apparatus.

Cadent Gas: **NO OBJECTION**

The proposal is in the vicinity of a buried pipeline.

Appropriate communication between the Solar PV Installation developer and designer is critical throughout the project in order to ensure that the safety impacts on the pipeline are minimised.

In Great Britain, the control of risks arising from third party damage to pipelines is addressed by Regulations 15 and 16 of the Pipelines Safety Regulations 1996 (PSR). PSR Regulation 15 states:

'No person shall cause such damage to a pipeline as may give rise to a danger to persons'.

Note that formal planning permission from the Local Authority does not take account of the hazards that the Solar PV Installation might pose for the buried pipeline. Obtaining planning permission should not therefore be seen as confirmation that legal duties under the Pipelines Safety Regulations and Construction Design Management Regulations (CDM) (see Section 5.1) have been met.

It is important that the pipeline operator receives a minimum of 4 week's notice of any planned work within the vicinity of the pipeline. This will allow the pipeline operator to provide the Solar PV Installation developer with early advice which will help with the planning of the proposed work and understand any constraints on the design, including details of any location specific pipeline issues that need to be taken into account

Historic England: **NO COMMENT**

MOD: **NO OBJECTION**

NATS Safeguarding: **NO OBJECTION**

Norwich Airport: **NO OBJECTION**

Internal Drainage Board:

The site is within the Internal Drainage District (IDD) of the King's Lynn Internal Drainage Board (IDB) and therefore the Board's Byelaws apply. Whilst the Board's regulatory process (as set out under the Land Drainage Act 1991 and the Board's Byelaws) is separate from planning, the ability to implement a planning permission may be dependent on the granting of any required Land Drainage Consents.

The applicant has indicated that they intend to dispose of surface water via infiltration. The information submitted to date suggests that a drainage strategy which relies on infiltration may be achievable



however, we cannot see that the viability of this proposal has been evidenced fully. It is not clear if this land benefits from underdrainage. The Flood Risk Assessment (Ramboll, September 2022), Section 5.3, observes that undrained soils can be waterlogged for long periods in winter. Any underdrainage scheme may fail over the lifetime of the development, and once the arrays are in place it will be very difficult to replace any land tiles. In addition to confirming the presence or absence of field underdrainage, we recommend that ground investigation is carried out to determine infiltration potential, followed by testing in line with BRE Digest 365 if onsite material is considered favourable for infiltration. If infiltration does not prove to be viable, following the drainage hierarchy we would expect the applicant to propose to discharge surface water to a watercourse. In this case, consent would be required under Byelaw 3. Please note that we recommend that any discharge is in line with the Non-Statutory technical standards for sustainable drainage systems (SuDS), therefore the Board is unlikely to grant consent for discharges in excess of greenfield rate.

District Emergency Planning Officer:

I note the comments in the flood risk assessment regarding low risk of flooding of site and potential flood depths. However if the surrounding areas were to flood any staff working on site could be marooned as the site could become a dry island.

Therefore because of its location in an area at risk of flooding and in line with best practice in business continuity I would suggest that the site operators:

- Should sign up to the Environment Agency flood warning system (0345 988 1188 or [www.gov.uk/flood](http://www.gov.uk/flood) )
- Install services at high levels where possible to avoid the impacts of flooding
- A flood evacuation plan should be prepared (more details at [www.gov.uk/flood](http://www.gov.uk/flood) ):
- This will include actions to take on receipt of the different warning levels.
- Evacuation procedures eg warning any staff or contactors working on site, shutting down any flood sensitive equipment etc
- Evacuation routes

Environment Agency:

Comments from 8.2.23:

We have reviewed the documents as submitted we are removing our holding objection as it has been confirmed the bund cannot be drained.

Comments from 7.12.22:

We have reviewed the submitted FRA with regard to tidal and main river flood risk sources only and consider this to be acceptable for the scale, nature and location of the proposed development.

The FRA indicates that the maximum flood depth at the site in the event of a breach of the River Nene flood defences is 0.3m, based on our 2011 Tidal Nene Hazard Mapping.

We have no objection to the proposed development on flood risk grounds, but strongly recommend that the mitigation measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to. In particular, the FRA recommends that:

- Site infrastructure (including the substation and battery array) will be raised 0.8m above ground levels;
- Flood resilient measures will be incorporated into the design of the switching and control kiosks; and

- PV panels will be raised at least 0.6m above ground levels.

#### Sequential Test and Exception Test:

In accordance with the National Planning Policy Framework (NPPF) paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the proposed development in areas with a lower risk of flooding. It is for the Local Planning Authority to determine if the Sequential Test has to be applied and whether or not there are other sites available at lower flood risk as required by the Sequential Test in the NPPF. Our flood risk standing advice reminds you of this and provides advice on how to do this.

Please note that the proposed development is classed as 'essential infrastructure' (as stated in part 6.1 of the submitted Flood Risk Assessment) and is located within Flood Zone 3a. The Planning Practice Guidance on flood risk and coastal change indicates that essential infrastructure should only be permitted in Flood Zone 3a if the Exception Test is passed and it should be designed and constructed to remain operational and safe in times of flood.

#### Flood Warning and Evacuation:

In all circumstances where flood warning and evacuation are significant measures in contributing to managing flood risk, we expect local planning authorities to formally consider the emergency planning and rescue implications of new development in making their decisions. We recommend that you consult your Emergency Planner on these issues.

#### Norfolk Fire and Rescue:

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

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

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

The Service will want to view the transport strategy to minimise the impact of construction traffic and prevent an increase in road traffic incidents.

NFRS recognises the use of batteries in Energy Storage Systems is new and emerging practice in the global renewable energy sector. The Service would like to work with the developers to better understand any risks that may be posed and develop strategies and procedures to mitigate these risks.

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

- Procuring components and using construction techniques which comply with all relevant legislation.
- Including automatic fire detection systems.
- Including automatic fire suppression systems. The Service's preferred system will be a water drenching system.
- Including redundancy in the design to provide multiple layers of protection.
- Designing the development to contain and restrict the spread of fire through the use of fire-resistant materials, and adequate separation between elements of the BESS.
- Developing an emergency response plan with NFRS.

- Ensuring the BESS is located away from residential areas. Prevailing wind directions should be factored into the location of the BESS to minimise the impact of a fire involving lithium-ion batteries due to the toxic fumes produced.

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

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

Environmental impact should include the prevention of ground contamination, water course pollution, and the release of toxic gases.

The BESS facilities should be designed to provide:

- Adequate separation between containers.
- Provide adequate thermal barriers between switch gear and batteries.
- Install adequate ventilation or an air conditioning system to control the temperature.
- Ventilation is important since batteries will continue to generate flammable gas as long as they are hot. Also, carbon monoxide will be generated until the batteries are completely cooled through to their core.
- Install a very early warning fire detection system.
- Install carbon monoxide detection within the BESS containers.
- Install sprinkler protection within BESS containers.
- Ensure that sufficient water is available for manual firefighting. An external fire hydrant should be located in close proximity of the BESS containers. Further hydrants should be strategically located across the development.
- The site design should include a safe access route for fire appliances to manoeuvre within the site.. An alternative access point and approach route should be provided and maintained to enable appliances to approach from an up-wind direction.

Norfolk Constabulary: **NO OBJECTION**

They have provided comments directly to the applicant.

Norfolk Wildlife Trust:

We have the following comments relating to the Ecological Impact Assessment (EclA) which highlights the potential for the development to have negative impacts on both Priority and protected species. We also note and welcome the potential for large gains in biodiversity.

Construction Environmental Management Plan (CEMP):

- A Construction Environmental Management Plan (CEMP) would be required, as outlined in section 4.2.1 of the EclA.
- As there is potential for negative impacts on Priority and protected species, the CEMP should specify how any negative impacts will be mitigated. Therefore, all the mitigation measures detailed in Section 4.2 of the EclA should be included in the CEMP and secured as a condition of consent if granted. This should include, but not necessarily be limited to, the following:

- The CEMP should specify that there would no removal of hedgerows and lowland fen as these are Priority Habitats, for which the Council has a duty to conserve and enhance under the Natural Environment & Rural Communities (NERC) Act 2006 and the Environment Act 2021.
- Otters are listed as Priority Species under Section 41 of the NERC Act 2006. As advised in Section 4.1.4 of the EclA, in the absence of mitigation, there is potential for the development to cause disturbance to otters on Smeeth Lode during the construction phase.
- Badgers and their setts are protected under The Protection of Badgers Act 1992. The EclA advises that there is potential for negative impacts on badgers during the construction phase.

We therefore fully support the recommendations in Section 4.1.4 of the EclA that mitigation to prevent disturbance would be required.

- All wild nesting birds, eggs and their nest sites are protected from destruction and disturbance under the Wildlife & Countryside Act (1981). The EclA highlights the potential for negative impacts on several bird species (both Priority Species and protected) during the construction phase. We fully support the recommendations in Section 6.2.6 of the 'Breeding Bird Survey Report' which advises that best practice construction measures should be adopted to minimise potential construction impacts on breeding birds. These should be detailed in the CEMP and include measures to 'minimise working areas to avoid unnecessary habitat removal/alteration and disturbance, and measures to void/minimise the generation of additional noise, dust, light spill and vibration.' The CEMP should also clearly specify that site clearance is conducted outside of bird nesting season.

#### Biodiversity Net Gain:

Under the National Planning Policy Framework (NPPF) BNG will soon become a legal requirement in England with the Environment Act (2021) setting out a mandatory 10% net gain in biodiversity for new development. Whilst not currently mandatory, we wholeheartedly support the measures detailed in the proposal, to achieve significant net gains in biodiversity.

- Section 5 of the 'Biodiversity Net Gain Assessment Report' calculates significant positive gains regarding biodiversity. We therefore fully support the recommendations in the Habitat Management Plan (HMP) and the inclusion of Section 4.2.2 in the EclA advising that new habitats will include wildflower mix, native orchard mix, hedgerows and trees. NWT has experience with local provenance seed collection which we would be happy to share with the applicant.

#### Conclusion:

In summary, we fully support the recommendations regarding increasing Biodiversity. The mitigation measures detailed in Section 4.2 of the EclA should be included in the CEMP and secured as a condition of consent if granted.

#### CPRE: **OBJECTION**

- CPRE Norfolk fully acknowledges and supports the need for solar energy generation, but this should not be sited on food-producing, attractive countryside.
- The application amounts to new development which is outside any settlement boundary. We contend this is contrary to policy CS06 as the application would not "protect the countryside for its intrinsic character and beauty".

- It would adversely affect the surrounding area and would not be in accordance with Policy CS10 regarding farm diversification schemes. This is because the development would not be “appropriate in size and scale to the local area” and it would be “detrimental to the local environment”.
- National Planning Policy Framework (NPPF, July 2021) paragraph 120b) states that ‘planning policies and decisions should recognise that some undeveloped land can perform many functions, such as for wildlife, recreation, flood risk mitigation, cooling/shading, carbon storage or food production’.
- Loss of food production land.
- The cumulative effect of increasing numbers of solar farms in the area should be recognised.
- The proposal does not recognise and would alter ‘the intrinsic character and beauty of the countryside’ - NPPF para. 174b.
- This paragraph of the NPPF also notes the importance of “the best and most versatile agricultural land...” As discussed below, over 50% of the land is currently classified as BMV land.
- Where solar farms are granted permission CPRE Norfolk would expect these to be sited on poorer quality land. This is supported by SADMP Policy DM.
- Liz Truss Government sought to extend BMV classification to include Grade 3b. If this does take place then 100% of the site would be classified as BMV land. Given that over 50% of the site is currently classified as BMV land, it is difficult to accept the statement in the applicant’s Planning Statement
- Where proposals affect agricultural land, they should be refused where the land is graded at 1, 2 or 3a, in line with footnote 58 of the NPPF
- The Planning Statement and Agricultural Land Classification agree that 54.8% of the proposed land is graded as BMV, and therefore the application should be refused permission.
- Government guidance in its Guide to assessing development proposals on agricultural land (updated 5 February 2021) is clear about the need to protect agricultural land and soil. These policies aim to protect ‘the best and most versatile (BMV) agricultural land from significant, inappropriate or unsustainable development proposals.’ It goes on to state that ‘your decision should avoid unnecessary loss of BMV land.’
- Part of the Ministerial Statement made by Eric Pickles as SoS for Communities and Local Government on 25 March 2015 stated in relation to solar energy:

Protecting the local and global environment: Meeting our energy goals should not be used to justify the wrong development in the wrong location and this includes the unnecessary use of high quality agricultural land. Protecting the global environment is not an excuse to trash the local environment. When we published our new planning guidance in support of the Framework, we set out the particular factors relating to large scale ground mounted solar photovoltaic farms that a local council will need to consider. These include making effective use of previously developed land and, where a proposal involves agricultural land, being quite clear this is necessary and that poorer quality land is to be used in preference to land of a higher quality.

We are encouraged by the impact the guidance is having but do appreciate the continuing concerns, not least those raised in this House, about the unjustified use of high quality agricultural land. In light of these concerns we want it to be clear that any proposal for a solar farm involving the best and most versatile agricultural land would need to be justified by the most compelling evidence. Of course, planning is a quasi-judicial process, and every application needs to be considered on its individual merits, with due process, in light of the relevant material considerations.

At the time of writing, the Environment Secretary Thérèse Coffey has indicated that the current Government is to continue with plans to enact Liz Truss’s policy mentioned above to

widen the definition of BMV land to include Grade 3b. If this happens before this application is determined, it would give extra weight to the need to refuse permission. Even if this measure has not been introduced by the date of determination, it is clear that the Government's direction of travel is to be more cautious over allowing agriculturally productive land to be taken over by solar farms.

Cllr Kirk:

I live at Meerdyke Farm, my late father sold most of the land belonging to Meerdyke farm in the early 1990's due to health reasons. I am the fourth generation of Kirk's to have farmed the land and I feel my thoughts ought to be made known.

The Land is heavy Marshland soil, it's not fenland by any stretch of the imagination, when it's wet it's mortar and when it's dry it' bricks.

Crops must be harvested before early Autumn and the wet weather.

We use to grow many acres of soft fruit, we had some test boreholes done to see if we could find water for irrigation, the boreholes went down over 300 feet and we couldn't find water even though we are at sea level + or -.

It's certainly not prime arable land.

Presently the land is farmed by a company growing crops for a digester producing green energy, the crop once harvested has to be trucked at least twenty-five miles to the digester.

The green energy company shows little respect for our local roads, causing damage and leaving mud and trash all over, I receive numerous complaints from constituents regarding the state of the roads when the company is operating and I have spent many hours personally removing mud from the road with a shovel.

As I have mentioned I still live at Meerdyke Farm, in the middle of the proposed site, I personally haven't a problem with it becoming a solar farm. If it became a solar farm ground nesting birds would be protected and hare coursing would be stopped.

There is some opposition to the proposal, with concerns over safety and ascetics. There is also support for it from some of my neighbours and further afield in the village.

## **REPRESENTATIONS**

**16 OBJECTIONS** have been received, these are summarised below:

- The surrounding roads are not capable or suitable for the expected vehicle movements. Surprised to see that private land (property entrances) are being relied upon to support the ability of cars and light vans to pass construction vehicles.
- Single track road with soft verges, ruts and no suitable passing bays.
- The roads leading to the site are signposted as 'damaged road'.
- Residents would be forced to take longer alternative routes to work when it's built. This is a safer route to join the A47 than Broadend Road junction.
- Sustainability.
- People including parents with young children, wheelchair users, horse riders, cyclists, and dog walkers use the road. It is currently a quiet road.
- At least 8 properties along St Paul's Road and Harp's Hall Road have stables, one provides hacks for disabled children, and they regularly hack along the road.

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- Horse riders use Harps Hall Road. Was not alerted to meetings to discuss the plans or informed via letter.
- It would consume a significant amount of agricultural land, at the time the nation needs to increase its ability to grow crops to feed its population and support the replacement of carbon based fuels with bio fuels.
- There would be a significant impact on the wildlife as this would dramatically restrict their movements forcing them towards busy roads.
- Fire risk. There is risk of fire and chemical damage to the surrounding area.
- Once alight lithium ion fires are hard to extinguish, common fire suppressants don't work and the fire can burn very fiercely. It can explode. Release toxic gases. Fire services might not intervene. Developer has made no provision for fire prevention, no emergency plan and has not consulted the fire service.
- Battery storage would be close to a few houses with small children.
- No decommissioning plans.
- Open tracks around the perimeter will invite youths driving cars and burning them out.
- Possible fire risk with the batteries and grass around the panels.
- Piling driving concrete in the form of giant pillars impact the countryside.
- Better alternative sites such as solar panels along central reservations of roads.
- Flooding. Piling will destroy land drainage on the site.
- Problems disposing of solar panels and the creation of them is also questionable.
- Site borders residential homes and will have a detrimental effect on many peoples lives and livelihoods.
- There are houses in the middle of the solar farm. Concerned about floodlights and CCTV.
- Solar panels will ruin residents views. Fencing would resemble a prison encampment.
- Flood lighting will disturb neighbours and will be seen for miles.
- Noise and vibrations.
- Queries the Transport Statement. No attempt has been made to provide objective traffic counts. Great concern over the calculation of HGV movements. 100HGVs 3 per week is beyond credibility.
- Calculates there would need to be a minimum of 240 HGV vehicle movements purely for the arrays. More would be needed if the ground is unsuitable for piling. Calculates approximately 2200 HGV movements which 240 would be on 38T Articulated lorries.
- Affect property values and saleability.
- Do not see how floodlighting and fencing will enhance habitats and wildlife.
- Thieves will be interested into taking cables.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** – Transport

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM20** - Renewable Energy

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Principle of development and EIA
- Loss of Agricultural Land
- Landscape and Visual Impact
- Impact on neighbour amenity
- Highway safety, Access and Traffic
- Hydrology and Flood Risk
- Ecology
- Glint and Glare
- Crime and Disorder
- Other Material Considerations

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

The Climate Change Act 2008 introduced legally binding targets to reduce the UK's greenhouse gas emissions. The Act committed the UK to reduce its greenhouse gas emissions by 80% by 2050, compared with 1990 levels.

The Climate Change Act was amended in 2019 to commit the UK to 'net zero' by 2050. In 2019, the Climate Change Act 2008 (2050 Target Amendment) Order 2019 was passed which increased the UK's commitment to a 100% reduction in emissions by 2050. The Borough Council has set a more ambitious target of 2035 (and sooner if possible), and has also declared a climate emergency.

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

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

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

Overarching National Policy Statement for Energy (EN-1)



EN-1 sets out the Government's policy for delivery of major energy infrastructure. Whilst primarily of relevance to Nationally Significant Infrastructure Projects (NSIP's) (i.e. projects over 50MW) it is clearly a material consideration for the proposed development, which is just below the NSIP threshold, at 49.9 MW. EN-1 is the national policy on energy, and it establishes the need for energy related development, with the Government not requiring decision makers to consider need on individual applications because of this. The Proposed Development would help meet this need and would help to relegate the role of fossil fuels as a back-up.

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

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

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

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

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

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

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

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

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

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

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

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

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

SADMPP policy DM20 states Proposals for renewable energy (other than proposals for wind energy development) and associated infrastructure, including the landward infrastructure for offshore renewable schemes, will be assessed to determine whether or not the benefits they bring in terms of the energy generated are outweighed by the impacts, either individually or cumulatively, upon:

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

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

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

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

It is evident there is some conflict between these two overarching aims, namely protection of the countryside and the provision of renewable energy. Therefore a balance is needed, however the overall principle of development can be supported.

The application includes an Environmental Statement (ES), which is required as part of the Environmental Impact Assessment (EIA).

### **Loss of Agricultural Land:**

National Planning Practice Guidance states that where a proposal involves greenfield land, consideration should be given to whether:

- i) The proposed use of any agricultural land has been shown to be necessary and poorer quality land has been used in preference to higher quality land; and
- ii) The proposal allows for continued agricultural use where applicable and/or encourages biodiversity improvements around arrays.

Paragraph 174b of the NPPF states that: 'planning policies and decisions should contribute to and enhance the natural and local environment by: recognising the intrinsic character and beauty of the countryside, and the wider benefits from natural capital and ecosystem services -including the economic and other benefits of the best and most versatile agricultural land, and of trees and woodland.' Footnote 53 explains: where significant development of agricultural land is demonstrated to be necessary, areas of poorer quality land should be preferred to those of a higher quality.

An Agricultural Land Classification (ALC) Report (July 2022) was undertaken by the applicant. No Grade 1 Agricultural Land would be affected. 13.6% of the land is Grade 2 (Very Good), 41.2% Subgrade 3a (Good) and 45.2% Subgrade 3b (Moderate). The proposal would involve losing approximately 48.5 hectares of Grade 2 and 3a land (which are considered the most versatile under Policy DM20 of the SADMPP).

Natural England are a statutory consultee on development that would lead to the loss of over 20 hectares of 'best and most versatile' agricultural land (graded 1, 2 and 3a in the Agricultural Land Classification system). Natural England do not object and consider that the proposed development, if temporary is unlikely to lead to significant permanent loss of BMV agricultural and, as a resource for future generations.

The ALC Report notes that the King's Lynn and West Norfolk Borough region has a significantly higher proportion of Grade 1 and 2 agricultural land compared to national and Norfolk County wide averages. The site accounts for approximately 0.001% of the agricultural land within the Borough. Given this it would be difficult to argue that the proposal would have a significant impact on agricultural production within the Borough.

The Planning Statement sets out considerations for the site selection which includes proximity to the grid, topography, field size, site access, land classification, landscape and nature conservation designations and flood risk.

The applicant argues that the site is currently used to grow energy crops to produce biomass, which is burned in an incinerator located over 20 miles away to produce energy. They do not envisage the site would facilitate future food production if it were to be retained

in agricultural use. Regardless, the option of agricultural use would be removed for a temporary period of 30 years, after the solar infrastructure is installed.

In the appeal decision for the Rose and Crown Farm solar farm (PINS ref: APP/V2635/W/14/3001281) the Planning Inspector indicated there were no preferred locations identified in the Local Plan for renewable energy protection (nor in the upcoming Review); there was little low quality agricultural land in East Anglia and there were practicalities of linking into the National Grid (Paragraph 25 of the appeal decision). Although each site proposal is considered on its individual merit, this appeal was allowed in September 2015 for a solar farm which involved the use of 66ha of grade 2 ALC. In contrast the current proposal involves the loss of 48.5 hectares of Grade 2 and 3a ALC land.

Consequently, the proposal would result in the loss of agricultural land, including some land classified as best and most versatile. However, the proposal is of a temporary nature, that includes a small proportion of hardstanding for infrastructure. It would also incorporate approximately 54 hectares to be dedicated to biodiversity enhancement measures, including 0.9ha to be retained for bramble scrub. Therefore the loss of agricultural land will need to be carefully considered by Members, and balanced against the other benefits of the proposal, particularly the provision of renewable energy and biodiversity.

### **Landscape and Visual Impact:**

The site borders several roads/tracks including Harp's Hall Road, Cow Lake Drove, Meer Dyke Lane, and Long Lots Drove. The site is also near to Walsoken BR9 a Restricted Byway, which lies beyond the south-western corner of the site. Walton Highway PROW lies approximately 1.4km south of the site. Therefore, there are numerous views across the site. The development is also split by Harp's Hall Road.

The PROW Officer highlighted that an application for a new Public Right of Way along the track, known as Smeeth Bank, directly adjacent to the south-eastern boundary of the proposed site has been submitted. The application is for a Restricted Byway status which if successful would allow walkers, cyclists and horses to use the track.

The site is not within any nationally or locally designated protected landscape areas. The site itself is in agricultural use for crop growing. The site is presently open, with some ditches close to the site edges. The surrounding area is predominantly in agricultural use with some pockets of wooded areas in the wider area. Farms and residential properties are interspersed along the surrounding roads, including on Harp's Hall Road and Meer Dyke Lane.

The BCKLWN's Landscape Character Assessment (2007) designates the site as within The Fens character area (D4 The Fens – Settled Inland Marshes, Emneth, West Walton and Walsoken). This is characterised by a large scale landscape with extensive vistas and wide open skies evoking a strong sense of openness, exposure and isolation. It has a strikingly flat, low lying terrain. Strong geometric and linear landscape patterning defined by large scale intensive arable farming with extensive field units divided by a regular network of drainage ditches and dykes, long straight road, large straight rivers and cut off channels. A largely unsettled landscape with villages and dispersed farmsteads with adjoining outbuildings.

According to the Environmental Statement (ES), the visual openness of the site and views into the wider landscape will decline with the implementation of screening vegetation which may block views. This will be apparent within 1km of the Site, but less noticeable further way.

It goes on to highlight that five viewpoints are considered to have a significant adverse effect due to the proximity of the receptor locations to the Site and the vertical element of the substation. Mitigation will partially screen the site, although this would also alter the open nature of the site.

Neutral effects are largely associated with receptors either at a greater distance from the proposal that are predominantly screened by intervening vegetation or built form, so either the site will not be visible or the changes are not perceivable at distance.

The ES considers the proposal would have a minor adverse effect on the Landscape Character Area D4 – The Fens relating to landscape character and aesthetics and amenity.

The ES notes that the design and landscaping proposals are considered to alter the landscape character and visual amenity of the area. Whilst this enhances the green connectivity of the Site and screens the development from visual receptors, the proposals close in the open site nature and are not necessarily typical of the local landscape character.

The LVIA concludes that ‘although the development proposal represents a change to use within the Site and a change in character given the addition of a vegetated buffer where currently isn’t one, local topography and vegetation patterns, combined with the Site’s hedged boundary ensures that views in and out are largely contained, with some visual impacts being contained. The flat topography characteristic of the Site will remain unaltered. The design and landscaping proposals are considered to alter the landscape character and visual amenity of the area. Whilst this enhances the green connectivity of the Site, and also screening the Proposed Development from visual receptors, closing the open nature, is not necessarily typical of the landscape character’.

Clearly the proposal would introduce a significant number of solar panels, a battery storage system and associated equipment and vegetation across the site, which would alter the character of the area, which would introduce structures across the site. Landscaping is proposed which would assist in softening the appearance of the development. However, the site would ultimately appear less open than in its current form. The proposal seeks an operational phase of up to 30 years before it would be decommissioned. A condition is recommended to ensure the infrastructure is removed from the site when the operation phase ceases. Therefore, it is acknowledged that the openness of the site would alter as a result of the proposal, which would be most apparent to road users and residents in close proximity to the site, however the proposal is for a temporary period and would introduce vegetation to parts of the site.

It is acknowledged that the proposal would undoubtedly alter the existing open character of the site which would not be fully in accordance with Policy CS06 of the Core Strategy (2011). This policy highlights that in the countryside the strategy is to protect the countryside for its intrinsic character and beauty, and the diversity of landscapes. It also explains that the development of greenfield sites will be resisted unless essential for agricultural needs. However, given that the proposal is temporary for up to 30 years and the policies also support renewable energy, it is considered this will be weighed in the planning balance.

### **Impact on Neighbour Amenity:**

There are several dwellings near to the site and between the two sections of solar panels that are separated by Harp’s Hall Road. Along Harp’s Hall Road nearby properties include Foxhall Farm, Poplar Farm and Bungalow, Linward, Happy Days Meadows, Meerdyke House and Farm. Linwards would be located adjacent to the access route into the eastern solar array. To the west of the site are Black Duck Farm and house, Fengate Road; The Elms and Willowdene Biggs Road, and Acacia Lea Farm house. These properties are

nearest the western array which includes the substation and BESS. To the edge of the eastern side of the site are nearby properties including along Long Lots and Goose Lane.

A landscape buffer would be located around the edge of the site which would assist with softening the development from surrounding properties.

The closest properties (The Elms, Biggs Road and Acacia Lea Farm, Meer Dyke Lane) to the substation and BESS would be around 270m away.

Solar development schemes do not normally generate a significant amount of noise or vibration outside of the construction period. The substation and battery storage facilities could give rise to some noise during the operational phase, the nearest dwellings would be located 270m away. Noise generation during the operation stage can be controlled through a noise levels condition. However, this has not been requested by CSNN.

CSNN have concerns with the proposed site working hours of 7.00 – 20.00 weekdays, 7.00 – 16.00 on Saturdays. CSNN have requested these be revised to 8.00-18.00 weekdays and 9.00-13.00 Saturdays, with no work on Sundays, Bank or Public holidays. To keep the period of work close to the quoted 34 weeks, they could compromise with 7.00 start (1800hrs end) weekdays for contractor arrival/toolbox talks etc, provided no HGV movements, deliveries or plant operations occur before 8.00am, and 9.00-16.00 on Saturdays. Site hours should be included in a Construction Management Plan (CMS) which should be conditioned.

Concerns have been raised by third parties about the proximity of residential accommodation to the site and in particular the Battery Energy Storage System (BESS). The Norfolk Fire and Rescue Service have not objected to the application, providing the proposal meets the necessary Building Regulations requirements. This will be dealt with separately from planning. Additionally, it is recommended a condition is included for a Risk Reduction Strategy and Emergency Response Plan be included by condition for review by the Fire Service.

The proposal includes minimal lighting. The Planning Statement says lighting will not be required around the perimeter of the Site, however passive infrared sensor lighting would be installed around the substation and battery compound. A lighting condition is recommended to ensure any lighting is appropriate and would not adversely harm nearby residents.

Pole mounted CCTV cameras of up to 3.3m high facing into the site are proposed. The exact locations are unknown and therefore this would need to be controlled by condition. Providing these are appropriately placed, these would not harm nearby residents' privacy.

CSNN do not object, providing conditions are included. They have suggested the eastern site access could be moved northwards to be more centrally located between Poplar Farm Bungalow and Linward as they are concerned about the immediately adjacent residential bungalow (Linward). They state that if this cannot be facilitated by a planning condition/revision, a condition would be required for a 2m high solid barrier/hoarding to protect Linward bungalow from noise. Therefore a noise barrier would need to be conditioned. Awaiting agent's response

The proposal would therefore comply with the NPPF and Policies DM15 and DM20 of the SADMPP.

#### **Highway Safety, Access and Traffic:**

The primary route into the site would be from the A47 heading northeast from Wisbech. This links to St Paul's Road South and Harp's Hall Road. The arrays would be accessed via

existing entrance points on Harp's Hall Road that would link to internal site maintenance roads. Harp's Hall Road is relatively narrow at around 4-4.5m wide.

According to the Environmental Statement there are anticipated to be a total of 100 HGV deliveries over the course of the 34 week construction period, typically 3 per week.

The combined impact of staff and HGV movements during the peak construction period would be:

- 20 car/van movements per day (two-way total)
- 6 HGV movements per day (two-way total)
- Total of 26 vehicle movements per day (two-way).

Two temporary construction compounds would be required, one within each array.

A Construction Traffic Management Plan (CTMP) is provided within the Transport Statement. Mitigation measures proposed include:

- Five proposed passing places on the construction delivery route, three on St Paul's Road and two on Harp's Hall Road.
- A 10mph speed limit for construction traffic on Harp's Hall Road.
- Temporary signage on St Paul's Road and Harp's Hall Road, to warn other vehicles, pedestrians and cyclists of the presence of construction traffic; and
- Good practice measures to manage deliveries to the site, and to minimise the impact upon local residents and other road users.

The CTMP will be managed and monitored by an appointed Site Liaison Officer, who will be responsible for co-ordinating the traffic and transport during the construction process.

Local residents have raised concerns about the standard of local roads, in particular Harp's Hall Road and highway safety in particular during construction and decommissioning stages.

NCC Highways have considered the information and do not object to the proposal. They consider that the submitted Transport Statement has made a thorough assessment of the proposed haul route to be utilised during the construction period and agree with the assessment. They note that as not all of the details of the mitigation measures have been formally agreed, and therefore they request conditions. These include details of the off site highway improvement works such as passing bays.

National Highways do not object to the proposal. They consider it is unlikely the proposal would have a long term impact on the Strategic Road Network.

The NCC PROW Officer was initially concerned that the boundary would affect an application for a new Public Right of Way track along Smeeth Bank. The applicant supplied additional information, which has addressed their concerns.

It is considered that providing the conditions requested by NCC Highway Authority are included then the proposal would not result in an unacceptable impact on highway safety, nor that the residual cumulative impacts on the road network would be severe.

### **Hydrology and Flood Risk:**

Sections 14 and 15 of the National Planning Policy Framework (NPPF) refer to flood risk. Paragraph 159 states 'inappropriate development in areas at risk of flooding should be avoided by directing development away from areas at highest risk (whether existing or

future). Where development is necessary in such areas, the development should be made safe for its lifetime without increasing flood risk elsewhere.'

Paragraph 167 of the NPPF states 'when determining any planning applications, local planning authorities should ensure that flood risk is not increased elsewhere. Where appropriate, applications should be supported by a site-specific flood-risk assessment<sup>55</sup>. Development should only be allowed in areas at risk of flooding where, in the light of this assessment (and the sequential and exception tests, as applicable) it can be demonstrated that: a) within the site, the most vulnerable development is located in areas of lowest flood risk, unless there are overriding reasons to prefer a different location; b) the development is appropriately flood resistant and resilient such that, in the event of a flood, it could be quickly brought back into use without significant refurbishment; c) it incorporates sustainable drainage systems, unless there is clear evidence that this would be inappropriate; d) any residual risk can be safely managed; and e) safe access and escape routes are included where appropriate, as part of an agreed emergency plan.'

Paragraph 169 of the NPPF explains that 'Major developments should incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. The systems used should: a) take account of advice from the lead local flood authority; b) have appropriate proposed minimum operational standards; c) have maintenance arrangements in place to ensure an acceptable standard of operation for the lifetime of the development; and d) where possible, provide multifunctional benefits.'

The site lies within Flood Zone 3a and exceeds 1 hectare, consequently a Flood Risk Assessment (FRA) accompanies the application. The FRA indicates that the maximum flood depth at the site in the event of a breach of the River Nene flood defences is 0.3m based on the Environment Agency's 2011 Tidal Nene Hazard Mapping.

In accordance with the NPPF paragraph 162, development should not be permitted if there are reasonably available sites appropriate for the development in areas with a lower risk of flooding. The majority of Marshland St James lies within Flood Zone 3a. The proposal is classed as 'essential infrastructure'. The Planning Practice Guidance indicates that essential infrastructure should only be permitted in Flood Zone 3a if the Exception Test is passed and it should be designed and constructed to remain operational and safe in times of flood.

In order to pass the exception test, it must be demonstrated that the proposed development will:

- Provide wider sustainability benefits to the community that outweigh the flood risk.
- The development will be safe throughout its lifetime, without increasing flood risk elsewhere and where possible reduce flood risk overall.
- In response to the first part of the exception test, the proposal would provide renewable solar and low carbon energy to support thousands of family homes.

The renewable energy will help deliver a reduction in carbon emissions and assist meeting local and national targets. It would also deliver biodiversity benefits and soil improvement gains. These measures provide sustainability benefits to the community and will meet the first criteria of the exception test.

Providing the measures in the flood risk assessment are adhered to and appropriate safeguarding conditions are included, it would not increase flood risk elsewhere.

The FRA recommends that the: site infrastructure (including the substation and battery array) will be raised 0.8m above ground levels; flood resilient measures will be incorporated



into the design of the switching and control kiosks; and PV panels will be raised at least 0.6m above ground levels. It is recommended the Flood Risk Assessment measures are conditioned.

The LLFA notes that the common setup means sites are usually considered 95% permeable, but associated infrastructure such as battery storage units, substations are impermeable

The applicant has indicated that they intend to dispose of surface water via infiltration. Further information is needed about the underdrainage of the site. Therefore, a pre-commencement land/surface water drainage condition is recommended.

The King's Lynn Internal Drainage Board, District Emergency Planning Officer, LLFA, Environment Agency and CSNN do not object to the proposal with respect to flooding and drainage, and safeguarding conditions and informatives have been included.

Consequently, it is considered that the exception test is passed in accordance with Paragraph 165. It is considered with the inclusion of the recommended conditions the proposal would be acceptable with respect to flood risk.

### **Ecology:**

The application is accompanied by a Preliminary Ecological Appraisal, Ecological Impact Assessment, Biodiversity Net Gain Assessment Report and Breeding Bird Survey Report (2022). This report notes that breeding bird assemblage of district level importance (reed bunting, skylark and yellow hammer) could be affected during construction and operation. Therefore mitigation measures are included.

The proposal does involve fencing which will restrict some wildlife movements in the area. However, the proposal also includes enhancing biodiversity across approximately 54 hectares of the site. The Biodiversity Metrics Assessment demonstrates that is a 176% net gain for area based habitats and 1101% net gain for hedgerows.

The Council's Ecologist has reviewed all the relevant reports submitted and does not object providing relevant conditions and informatives are included.

Consequently, it is considered the proposal would offer numerous biodiversity benefits to the locality and would be in accordance with relevant policy.

### **Glint and Glare:**

A Glint and Glare Assessment was carried out which considered the effect on potential flight paths, the adjacent main road, the A47 and five nearby residential properties.

It found no effects on flight paths and it is predicted that existing screening and topography will protect the majority of residential receptors in the locality and transport routes from significant impact. It did however identify a collection of dwellings on Harp's Hall Road where existing screening is informal and it would result in a maximum glare in a day of approximately 40 minutes (worst case scenario). The Planning Statement considers this not significant in terms of the impact on the amenity of these properties. However, this can be mitigated through an appropriate landscaping condition. The applicant has also said they would implement a formal grievance mechanism where community members can liaise with the project team.

The Ministry of Defence, National Air Traffic Services and Norwich Airport have raised no objection in relation to air safety.

Providing an appropriate landscaping condition is included to ensure appropriate mitigation then it is considered the proposal would be acceptable with respect to glint and glare.

### **Heritage Assets:**

A Historic Impact Assessment (2022) and Geophysical Survey Report (2022) accompanied the application.

There are 12 national heritage list records within 2km of the site, including the Grade I Listed Church of All Saints located 1.75km to the west of the site and a further 11 Grade II Listed Buildings. The assessment carried out does not predict harm to these assets or their setting.

The exception is the potential impact upon the setting of the Grade II Listed Trinity Hall, with its impact assessed as low at worst. The Conservation Team have not commented on the application.

Paragraph 202 of the NPPF states that 'where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.' The public benefits of the proposal such as the provision of renewable energy would outweigh the low impact upon the heritage asset Trinity Hall.

NCC Historic Environment note the area is rich in evidence of Roman occupational and industrial activity. They therefore request safeguarding conditions.

It is considered the proposal would be consistent with heritage asset policies within the NPPF and Local Plan.

### **Other matters:**

Third party comments have raised the impact of the proposal on views, property values and saleability. These matters are not material planning considerations.

Cadent Gas requires the applicant to contact them prior to commencement of works. This can be dealt with by way of an informative.

Given the limited number of traffic movements per year to maintain the site once operational (2 trips per month), it is considered unnecessary to given the wider sustainability benefits of the development to require ev charging points.

The decommissioning of the proposal will be conditioned to ensure sufficient detail is submitted for this stage.

### **Crime and Disorder**

The site proposal includes CCTV and infrared sensor lighting. There are no specific crime and disorder issues arising from this development.

### **Planning Balance and Conclusion:**

This is an application for a temporary period of 30 years for a solar farm, battery storage facility and associated infrastructure. The main issues are considered to be the impact upon the landscape, loss of agricultural land, the provision of renewable energy, and the

biodiversity enhancements. There are also other specific technical issues associated with the scheme.

In terms of the benefits, the provision of renewable energy supports the Government's ambitions to significantly cut greenhouse gases through low carbon energy sources. This proposal will help contribute to national targets in this regard. This is given weight by officers in the decision-making process.

There is also a large portion of the site set aside for biodiversity enhancements. This is approximately 54 hectares of the overall site. The Biodiversity Metrics Assessment demonstrates that is a 176% net gain for area based habitats, and 1101% net gain for hedgerows. Such a large enhancement in the view of officers should be a benefit that should also be given a lot of weight.

In terms of the negatives, the flat fen landscape will see a significant change through the infrastructure associated with the solar farm. That can be offset to a certain extent by landscaping, but there will still be large areas of the site that will be visible. Officers give this some weight in the decision-making process.

The other main issue is that there will be a loss of agricultural land for a period of 30 years. Whilst the appellant argues this land is used for biofuels (and therefore already for energy generation), it could at some point in the future be used for food production. The applicant also points out that this area is a very small proportion of the overall agricultural land in the eastern region, and that much of the site is grade 3b agricultural land, thereby minimising the use of the best and most versatile agricultural land. Also, the statutory consultees on this issue are Natural England, and they raise no objection to this loss. Given the above officers give this issue limited weight in the decision making process

Overall, officers consider that the benefits of the scheme outweigh the harm caused. There are also no other technical objections that cannot be controlled by condition, or that would warrant an objection. As such, it is recommended that approval should be granted, because it is considered the scheme meets the requirements of national and local planning policy.

## **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans Drawing Nos -
  - 2.3 Typical Array Details (Received 17 Nov 22)
  - 2.4 Typical Battery Storage Details (Received 17 Nov 22)
  - 2.5 Typical Switchgear and Transformer Housing (Received 17 Nov 22)
  - 2.6 Typical Fence and CCTV Details (Received 17 Nov 22)
  - 2.1A Existing Site Plan (Received 14 Nov 22)
  - 2.1B Existing Site Plan (Received 14 Nov 22)
  - 2.2A Proposed Site Plan (Received 14 Nov 22)
  - 2.2B Proposed Site Plan (Received 14 Nov 22)

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of any works a Construction Traffic Management Plan and Access Route which shall incorporate adequate provision for addressing any abnormal wear and tear to the highway together with wheel cleaning facilities and TM signage shall be submitted to and approved in writing by the Local Planning Authority together with proposals to control and manage construction traffic using the 'Construction Traffic Access Route' and to ensure no other local roads are used by construction traffic.
- 3 Reason: In the interests of maintaining highway efficiency and safety. This needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 4 Condition: For the duration of the construction period all traffic associated with (the construction of) the development will comply with the Construction Traffic Management Plan and use only the 'Construction Traffic Access Route' and no other local roads unless approved in writing with the Local Planning Authority.
- 4 Reason: In the interests of maintaining highway efficiency and safety.
- 5 Condition: Notwithstanding the details indicated on the submitted drawings no works shall commence on site until detailed drawings for the off-site highway improvement works (passing bays and private access construction has/have been submitted to and approved in writing by the Local Planning Authority.
- 5 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor.
- 6 Condition: Prior to any works being undertaken on the development hereby permitted the off-site highway improvement works referred to in Condition 5 shall be completed to the written satisfaction of the Local Planning Authority.
- 6 Reason: To ensure that the highway network is adequate to cater for the development proposed.
- 7 Condition: Prior to commencement of development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority; this must include proposed timescales and hours of the construction phase, deliveries/collections and any piling. The scheme shall also provide the location of any fixed machinery, their sound power levels, the location and layout of the contractor compound, the location of contractor parking, the location and layout of the materials storage area, machinery storage area and waste & recycling storage area, and detailed proposed attenuation and mitigation methods to protect residents from noise, lighting, vibrations, dust ( in accordance with Section 8 of IAQM Guidance) and litter. Specifically this should include details to protect neighbouring dwelling 'Linward' from vehicle noise and dust during the construction and decommissioning phases. If piling is required, full assessment of noise and vibration impacts should be included. The scheme shall be implemented as approved.
- 7 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.

- 8 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, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
- 8 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 9 Condition: No development shall commence on site until full details of the surface water drainage arrangements have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9 Reason: To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 10 Condition: Prior to the commencement of any works, a "lighting design strategy for biodiversity" for the solar panels shall be submitted to and approved in writing by the local planning authority. The strategy shall:
- a) identify those areas/features on site that are particularly sensitive for bats, badger nesting birds and otter and that are likely to cause disturbance in or around their breeding sites and resting places or along important routes used to access key areas of their territory, for example, for foraging; and
  - b) show how and where external lighting will be installed (through the provision of appropriate lighting contour plans and technical specifications) so that it can be clearly demonstrated that areas to be lit will not disturb or prevent the above species using their territory or having access to their breeding sites and resting places.

All external lighting shall be installed in accordance with the specifications and locations set out in the strategy, and these shall be maintained thereafter in accordance with the strategy. Under no circumstances should any other external lighting be installed without prior consent from the local planning authority.

- 10 Reason: In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF.
- 11 Condition: No removal of hedgerows, trees, shrubs or brambles or works within 30 m of the buildings shall take place between 1st March and 31st August inclusive, unless a competent ecologist has undertaken a careful, detailed check of vegetation for active birds' nests no more than 48 hours prior to the commencement of vegetation clearance and provided written confirmation that no birds will be harmed and/or that there are appropriate measures in place to protect nesting bird interest on site. Any such written confirmation should be submitted to the local planning authority.

In the event that any bird nests or actively breeding pairs are encountered, works will not commence on site until a further survey has been submitted in writing and

approved by the LPA confirming that any nesting attempts are concluded and any chicks in nests have fledged.

- 11 **Reason:** All British birds, their nests and eggs (with certain limited exceptions) are protected by Section 1 of the Wildlife and Countryside Act 1981, as amended. Whilst no barn owl were recorded during 2022 field surveys barn owl nesting habitat was identified within 30m of the site boundary and pre-construction checks are required as recommended in Section 6.2.5 of `Breeding Bird Survey Report` by RSK Biocensus 2022.
- 12 **Condition:** No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP shall include, but not be limited to, the following:
- Risk assessment of potentially damaging construction activities;
  - Identification of 'biodiversity protection zones' including buffers around known badger setts, hedgerows and ditches, particularly those with water vole present. A figure identifying these areas should be included;
  - Practical measures (both physical measures and sensitive working practices) to avoid or reduce impacts during construction;
  - The location and timing of sensitive works to avoid harm to biodiversity features;
  - Construction timed to be outside of breeding bird season (1st March and 31st August inclusive) unless a competent ecologist has undertaken preconstruction checks for nesting birds.
  - Works with the potential to cause disturbance of barn owls nesting at locations identified within the breeding bird report should be preceded by a nest check by a licensed barn owl ecologist to ascertain whether any occupied breeding sites are present. If occupied breeding sites are identified within 200m of works locations as recommended in Section 6.2.5 of `Breeding Bird Survey Report` by RSK Biocensus 2022,
  - The times during construction when specialist ecologists need to be present on site to oversee works;
  - Direction of security/construction lighting away from protection zones, tree canopies and watercourses in line with the lighting strategy;
  - Measures to prevent wildlife becoming trapped in excavations etc;
  - Tool-box talk which is specific to the risk factors identified
  - Responsible persons and lines of communication;
  - The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person;
  - Use of protective fences, exclusion barriers and warning signs.

The approved CEMP: Biodiversity shall be adhered to and implemented through the construction phases strictly in accordance with the approved details, unless agreed in writing by the local planning authority.

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted.

- 12 **Reason:** In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.

- 13 Condition: All ecological measures and/or works shall be carried out in accordance with the details contained within the Habitat Management Plan October 2022 as already submitted with the planning application and agreed in principle with the local planning authority prior to determination.
- 13 Reason: In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy 2011 and Section 15 of the NPPF. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.
- 14 Condition: No development, demolition, earth moving shall take place or material or machinery brought onto the site until protective fencing and warning signs have been erected on site in accordance with the approved Construction Ecology Management Plan. All protective fencing and gates will be maintained during the construction period in accordance with the approved details.
- 14 Reason: To ensure the protection of badgers in compliance with the Protection of Badgers Act 1992 and Schedule 6 of the Wildlife and Countryside Act 1981(as amended). Placing these on an existing badger path, or at a point where a field boundary crosses the rabbit proof fencing, will help badgers to locate the gates and use them as a way through the fencing.
- 15 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 15 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.
- 16 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 15 and any addenda to that WSI covering subsequent phases of mitigation.
- 16 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 17 Condition: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 15

and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

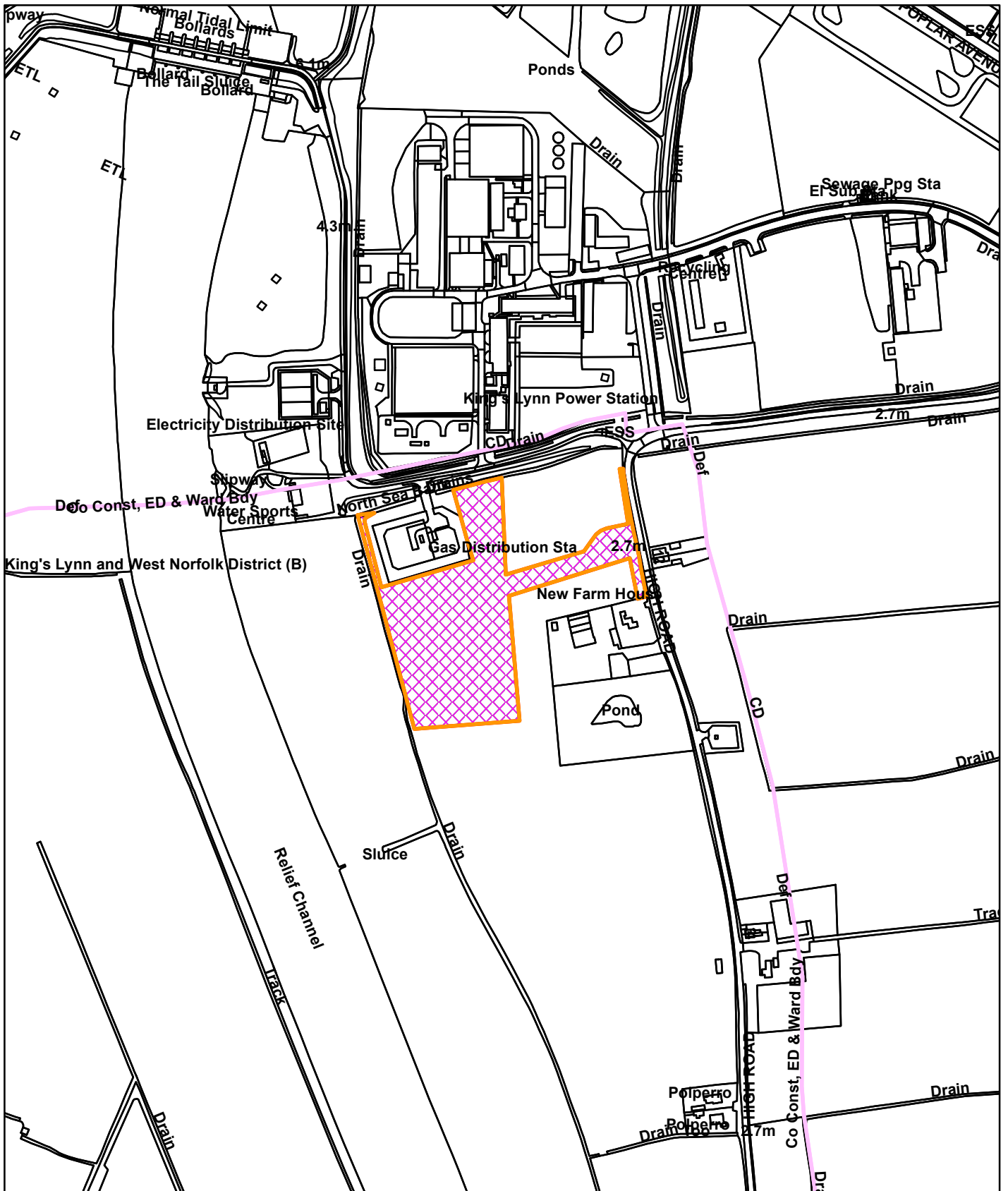
- 17 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors.
- 18 Condition: The development permitted by this planning permission shall be carried out in accordance with the approved Flood Risk Assessment (Ref: RUK2022N00166-RAM-RP-00018) carried out by Ramboll (dated September 2022) and in particular, the FRA recommends that:
- Site infrastructure (including the substation and battery array) will be raised 0.8m above ground levels;
  - Flood resilient measures will be incorporated into the design of the switching and control kiosks; and
  - PV panels will be raised at least 0.6m above ground levels.
- 18 Reason: To reduce the risk of flooding to the development and future occupants in extreme circumstances in accordance with the NPPF.
- 19 Condition: Prior to the installation of any solar panels the applicant should have in place an agreed Emergency Response Plan (produced in conjunction with Norfolk Fire and Rescue Service). This Plan shall be submitted to and agreed in writing by the Local Planning Authority prior to the installation of any solar panels. The development should be constructed and maintained in accordance with the approved details.
- 19 Reason: To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 20 Condition: Notwithstanding the details hereby approved prior to the first use of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. 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.
- 20 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 21 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 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.
- 21 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.



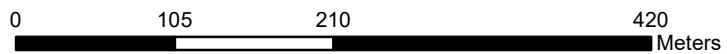
- 22 Condition: The development shall be carried out in accordance with the mitigation measures set out in the Environmental Statement unless provided for in any other conditions attached to this planning permission.
- 22 Reason: To ensure that the development takes place substantially in accordance with the principles and parameters contained with the Environmental Statement.
- 23 Condition: This permission shall expire on 1 May 2053. Within 4 months of this date, all infrastructure associated with the development hereby permitted, shall be dismantled and removed from the site. The site shall then be restored to its condition prior to the implementation of the planning permission or in line with a scheme, the details of which shall be submitted to and approved in writing by the Local Planning Authority, no later than 1 month after 1 May 2053.
- 23 Reason: To define the terms of the temporary permission applied for, and to ensure the land is restored to its previous condition.

22/01151/FM

Land NW of High Road Saddlebow PE34 3AW



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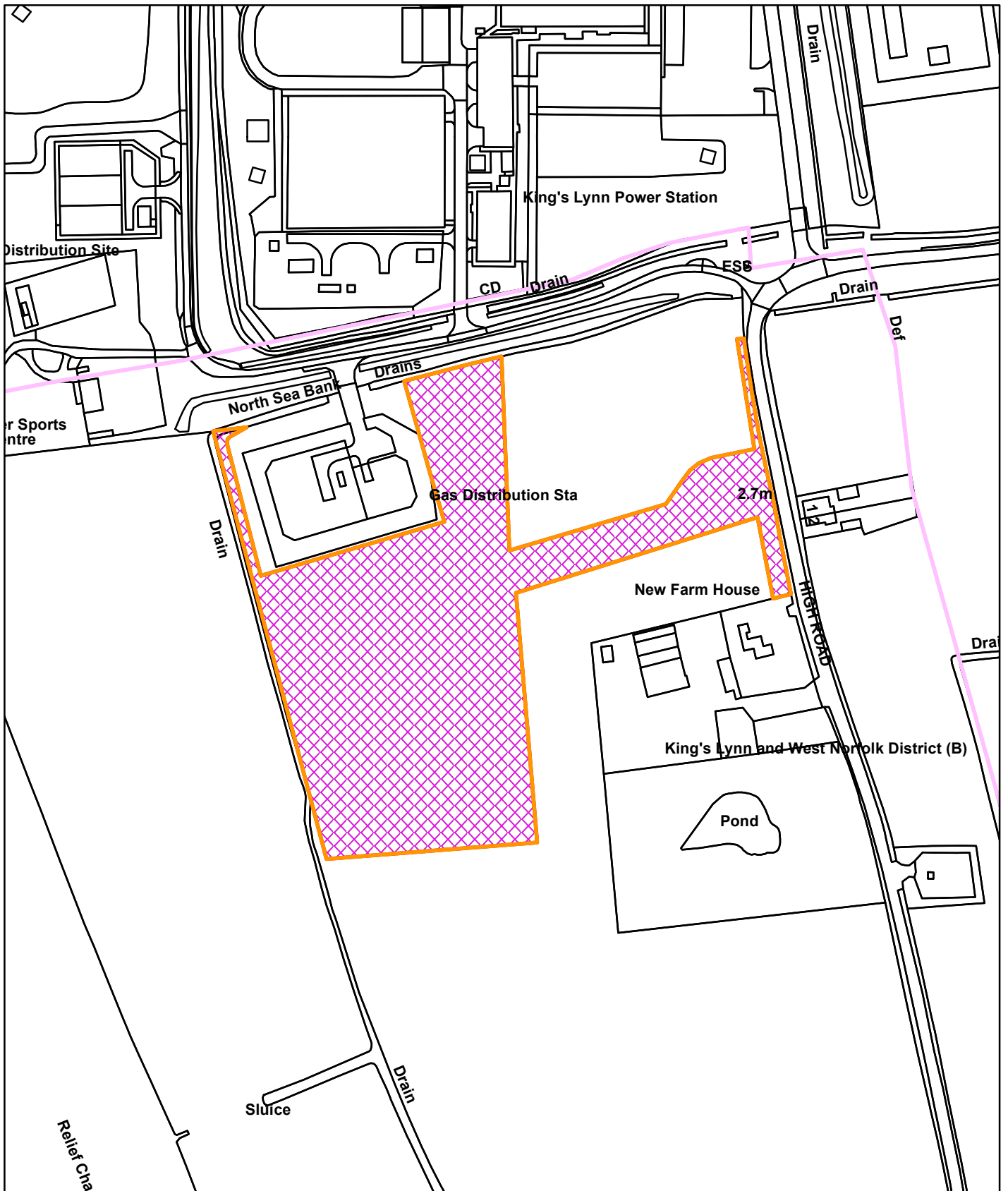
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<b>Parish:</b>	<b>Wiggenhall St Germans</b>	
<b>Proposal:</b>	<b>Installation of a Battery Energy Storage System (BESS) comprising; self contained battery modules on skids; transformers; Power Conversion Systems Modules; Control Building; electrical connection compound including substation; control and storage containers; underground cables and conduits; access track; security fence; acoustic fence; temporary construction compound and associated infrastructure; bund and planting scheme</b>	
<b>Location:</b>	<b>Land NW of High Road Saddlebow PE34 3AW</b>	
<b>Applicant:</b>	<b>Lynn Power Limited</b>	
<b>Case No:</b>	<b>22/01151/FM (Full Application - Major Development)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 6 October 2022 Extension of Time Expiry Date: 28 April 2023</b>

**Reason for Referral to Planning Committee** – at the discretion of the Assistant Director of Environment and Planning.

**Neighbourhood Plan:** No

**Case Summary**

This application is for the installation of a Battery Energy Storage System (BESS) to the south of King’s Lynn Power Station, and to the west of High Road, Saddlebow. The River Great Ouse Relief Channel runs in a north-south direction, to the west of the site and the northern boundary of the site adjoins a (gas) Pressure Reducing Metering Station (PRMS) associated with Palm Paper mill, which is located approximately 800m to the north.

The overall site area totals some 2.2ha which includes a new access track from High Road, visibility splays, landscaping, surface water drainage feature, plus the diversion and undergrounding of a 33kV power line which currently bisects the site. The equipment would however only cover an area of approx. 3600m<sup>2</sup> contained in a 2m high bunded area/surround.

The BESS would store excess electricity at times of low demand and then release it back into the grid when required at peak times. It would be rated at just over 100MWh and would therefore be capable of providing a 50MW output over a 2-hour period. It is anticipated that the proposed development would be operational for a period of forty (40) years.

The site is located outside of the development boundary for King’s Lynn so is therefore in an area classed as countryside. However, it is acknowledged that the site abuts the neighbouring Power Station and Pressure Reducing Metering Station (PRMS) which are also within the countryside and that the location of both is immediately adjacent to the development boundary of King’s Lynn and Saddlebow Industrial Estate in particular.

The site is arable grade 2 agricultural land and in an area at high risk of flooding (Flood Zone 3A and Tidal Hazard Mapping Zone). It is also in the location of Public Rights of Ways FP8 and FP21B and National Cycle Route 1. There is significant apparatus associated with Cadent Gas, National Grid and Palm Paper in the vicinity of the site.

The BESS is considered to be 'associated infrastructure' in relation to the management and use of energy and the National commitment to carbon neutrality by 2050. It should therefore be considered in the context of Policies DM2 and DM20 of the Development Plan accordingly.

### **Key Issues**

Principle of development  
Impact upon countryside  
Loss of high-quality agricultural land  
Flood risk implications  
Highway issues  
Ecology and biodiversity  
Impact on neighbour amenity  
Fire safety  
Other material considerations

### **Recommendation**

**APPROVE**

## **THE APPLICATION**

This application is for the installation of a Battery Energy Storage System (BESS) to the south of King's Lynn Power Station, and to the west of High Road, Saddlebow. The River Great Ouse Relief Channel runs in a north-south direction, to the west of the site and the northern boundary adjoins a (gas) Pressure Reducing Metering Station (PRMS) associated with Palm Paper mill, which is located approximately 800m to the north.

The overall site area totals some 2.2ha which includes a new access track from High Road, visibility splays, landscaping, surface water drainage feature, plus the diversion and undergrounding of a 33kV power line which currently bisects the site. The equipment would however only cover an area of approx. 3600m<sup>2</sup> contained in a landscaped 2m high bunded area/surround.

The BESS would store excess electricity at times of low demand and then release it back into the grid when required at peak times. It would be rated at just over 100MWh and would therefore be capable of providing a 50MW output over a 2-hour period. It is anticipated that the proposed development would be operational for a period of forty (40) years.

The site is located outside of the development boundary for King's Lynn so is therefore in an area classed as countryside. However, it is acknowledged that the site abuts the neighbouring Power Station, UK Power Networks 132kV sub-station and Pressure Reducing Metering Station (PRMS) which are also within the countryside, and that the location of both is immediately adjacent to the development boundary of King's Lynn and Saddlebow Industrial Estate in particular.

The site is arable grade 2 agricultural land and in an area at high risk of flooding (Flood Zone 3A and Tidal Hazard Mapping Zone). It is also in the location of Public Rights of Ways FP8A and FP21B and National Cycle Route 1. There is significant apparatus associated with Cadent Gas, National Grid and Palm Paper in the vicinity of the site.

The proposed development consists of:

- 28 battery skids, with 12 self-contained battery modules mounted on each (each skid, with battery modules typically being 8.7m x 3.2m x 3.4m when mounted on blocks such that the battery is 1.0m from ground level);
- 14 transformers (typically 2.1m x 2.2m x 2.2m), with one transformer located next to each pair of battery skids;
- 28 Power Conversion System (PCS) units (typically 3.0m x 2.0m x 2.2m), with one pair located either side of each transformer;
- a control building (typically 12.7m x 4.7m x 3.7m);
- a DNO Control Building (typically 5.6m x 4.7m x 3.7m) to contain switchgear equipment;
- a metering cabinet (typically 1.1m x 0.4m x 1.4m);
- a DNO storage building (typically 3.0m x 2.1m x 2.1m)
- a spares and equipment container (typically 6.0m x 2.1m x 2.1m);
- a HV substation (typically 43.2m x 21.6m) that will be operated by the Distribution Network Operator (DNO), UK Power Networks (UKPN), containing HV switchgear, isolation equipment, 132kV transformer (typically 7.0m x 4.2m x 6.1m) and perimeter fence;
- a 3.5m acoustic fence, 3.0m weldmesh fence and access gates;
- security CCTV cameras;
- access tracks;
- bunding;
- associated infrastructure including underground pipes and power and communications cables;
- a substantial planting scheme located on and around the proposed bunding; and
- an associated drainage swale.

The application is accompanied by a Planning Statement, Ecological Assessment (including a Shadow Habitats Regulations Assessment (HRA)), Noise Impact Assessment, Archaeology Assessment, Landscape & Visual Impact Assessment, Construction Transport Management Plan, Contaminated Land Report, Transport Statement, Arboricultural Assessment, Environmental Report & Design and Access Statement.

## **SUPPORTING CASE**

The following statement is made in support of this application:

“Battery Energy Storage plays an essential role in enabling the transition away from Fossil Fuels. It is part of the solution towards achieving clean energy which is a key element in reaching the UK’s legal commitments for Net Zero emissions by 2050 and also aligns with the Council’s own Climate Change Strategy and Action Plan.

Both National Grid and the Committee on Climate Change have identified a need for 35GW of storage capacity by 2035 in order to support the transition to a low carbon energy grid to achieve Net Zero.

In line with both the NPPF and the Development Plan which support low carbon and renewable energy schemes where the impacts of the development are or can be made acceptable, the site:

- has been selected close to the point of connection to the Grid and has a secured connection offer for the substation to the north;
- is within the context of existing commercial and electricity infrastructure; and
- has suitable access.

Safety is a top priority for the industry and Cambridge Power. As a result, in line with the very latest industry best practice (including NFPA (National Fire Protection Association) 855 and UL (Underwriters Laboratories) 9540A test method), a range of measures are incorporated to prevent and mitigate the risk of fire including:

- Best technology selection to prevent the initiation of thermal runaway;
- Appropriate spacing of equipment within the site layout design;
- Integrated temperature, smoke and fire detection and suppression system with liquid cooling to regulate battery temperature;
- A water supply of the flow rate requested by Norfolk Fire has been offered by Anglian Water
- 24 hour a day monitoring and control of all aspects of the BESS.

Positive discussions have been held with Norfolk Fire and Rescue Service and as a result, they have confirmed that the measures proposed meet their expectations. Cambridge Power can reaffirm their commitment to continue working with the Fire Service to develop a suitable Emergency Response Plan to be secured by planning condition.

Planning guidance does refer to the use of lower quality agricultural land, where possible. However, there is no lower quality land available within the immediate area and the loss of agricultural land will be relatively limited and is reversible due to the 40-year life of the permission being sought. In the wider area, lower quality land around settlements is available, but this would not be suitable for locating a BESS. Also, the Council has deemed by way of a formal screening decision that the land is not EIA development, i.e., it is not significant in terms of scale or environmental impact.

Flood defences are in place in the locality. In the unlikely event of flood, Circuit Breakers will activate which will isolate the BESS. This will prevent damage to the wider infrastructure network.

Noise has been considered and addressed by the careful placement of acoustic fencing to ensure the development does not give rise to amenity issues; and

The proposal includes beneficial landscaping and will deliver a significant level of Biodiversity Net Gain: +117.9% for habitats, and for hedgerow units the gain is +97.5%.

The proposed Battery Energy Storage System, subject to conditions, accords with local and National Planning Policy and should be approved without delay.”

## **PLANNING HISTORY**

2/95/0768/SU: No objections to Crown application: 11/07/95 - Construction of 33kv overhead line (Delegated decision)

Adjoining site to north:

15/02090/FM: Application Permitted: 21/03/16 - High pressure gas pipeline between National Grid National Transmission System and Palm Paper mill site, including above ground Pressure Reduction Meeting Station and minimum offtake connection and associated access, landscaping and means of enclosure (Delegated decision)

## RESPONSE TO CONSULTATION

**Wiggenhall St Germans Parish Council: SUPPORT** with conditions that a noise survey is considered at the Ouse Amateur Sailing Club, that the gas assets protection satisfy the relevant agencies and that fire breaks to protect the site from external wildfires are considered with advice from Norfolk Fire and Rescue and included in the site design as appropriate.

**Local Highway Authority (NCC): NO OBJECTION** subject to conditions relating to access construction, gates set back, gradient not exceeding 1:12 for first 15m into the site, visibility splays and Construction Management Plan provision.

**Local Highway Authority (NCC) – Public Rights of Way Officer: NO OBJECTION** on Public Rights of Way grounds as although Wiggenhall St Mary Footpath 8 is in the vicinity, it does not appear to be affected by the proposals.

**Lead Local Flood Authority (NCC): NO COMMENTS**

**East of Ouse, Polver & Nar Internal Drainage Board: NO OBJECTION-** The applicant should be reminded that any works in, over, under, or within 9m of bank top of the North Sea Drain will require the separate legal consent of the East of Ouse, Polver and Nar IDB.

**Environment Agency: NO OBJECTION** subject to condition relating to a scheme to dispose of foul and surface water plus contain and dispose of any contaminated water resulting from firefighting.

**District Emergency Planning Officer: NO OBJECTION** subject to condition relating to signing up to AW's Flood Warning System, installation of services at high level and preparation of a flood evacuation plan.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** subject to condition relating to unexpected contamination during construction/development plus implementation of Construction management Plan to suppress dust.

**Environmental Health & Housing – Community Safety & Neighbourhood Nuisance: NO OBJECTION** subject to conditions.

**Historic Environment Services: NO OBJECTION** subject to conditions relating to archaeological investigations.

**Norwich International Airport Safeguarding: NO OBJECTION** - this development will not provide a significant collision risk to aircraft operating in the vicinity of Norwich Airport or interfere with our surveillance systems.

**NATS Safeguarding: NO OBJECTION**

**Anglian Water: NO COMMENTS** - The applicant should check for any Anglian Water assets which cross or are within close proximity to the site. Any encroachment zones should be reflected in site layout.

**Norfolk Fire & Rescue Service: NO OBJECTION** subject to the proposal meeting the necessary requirements of the current Building Regulations 2010 – Approved Document B (volume 2 – 2019 edition) as administered by the Building Control Authority plus a condition regarding fire safety measures.



**Cadent Gas: NO OBJECTION**

**Health & Safety Executive: DOES NOT ADVISE AGAINST**

**National Gas Transmission: NO OBJECTION** subject to condition to safeguard the Feeder 4 gas pipeline which crosses the site. Such details shall include an Earth Resistivity Study and any measures necessary to ensure the safe and continued operation of the gas pipeline and safe working arrangements.

**UK Power Networks: NO OBJECTION**

**Natural England: NO OBJECTION** - the proposed development will not have significant adverse impacts on statutorily protected nature conservation sites or landscapes.

## **REPRESENTATIONS**

A total of **THREE** items of correspondence received, including one from the Ouse Amateur Sailing Club, **OBJECTING** on the following summarised grounds:

- Noise impact on the nearby sailing club approx. 120m to NW
- Health and safety measures – prone to electrical fires
- Security measures during construction and operation
- Temporary loss of power during connection to the grid and commissioning – request to be done during night and when business is not operating
- What will occur in the two parcels of land either side of the new access track?
- Devaluation of properties
- Noise pollution
- Dust during construction
- Road closures on High Road to create access point
- Increased traffic
- Loss of habitat
- Environmental damage flooding could cause

**ONE** further item of correspondence from the Ouse Amateur Sailing Club **withdrawing earlier objection** following a meeting with the agents/developers and stating that their concerns have been laid to rest.

**Cllr Alexandra Kemp:** I maintain my strong objection to this facility so near to South and West Lynn and the potential risks of air pollution and human health, with toxicants carried on the prevailing south-westerlies, in the event of thermal runaway or malfunctioning or combustion of the lithium-ion batteries. The effectiveness of remote monitoring of the facility from an office in Bury St Edmunds does not inspire confidence. I call this Application in to be determined by the Planning Committee and I call upon the other ward members to do so. This Council needs to take responsibility and determine this Application in public. Not to do so, would be a dereliction of duty.

**Cllr Charles Joyce:** This application does need to go before a Planning Committee. There will be a clear and present danger should this application be approved, and failures later happen once the project begins. Such a possibility is an exceptional circumstance that is not present in the more usual applications which generally cover development of domestic or retail property.

**Cllr Brian Long:** This application is I believe well outside the time for call in by members, but because of the public interest would urge the Director to consider using his powers to facilitate it going to committee.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM20** - Renewable Energy

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

Net Zero – The UK's Contribution to Stopping Global Warming

Reducing UK Emissions – 2020 Progress Report to Parliament

Overarching National Policy Statement for Energy (EN-1)

## **PLANNING CONSIDERATIONS**

**The main considerations are as follows:**

- Principle of development
- Impact upon countryside
- Loss of high-quality agricultural land
- Flood risk implications
- Highway issues
- Ecology and biodiversity
- Impact on neighbour amenity
- Fire safety
- Other material considerations

## **Principle of development:**

The site is located within an area defined as the countryside.

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

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

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

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

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

However, National and local planning policy and guidance also place significant importance on renewable energy.

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

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

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

- a) *not require applicants to demonstrate the overall need for renewable or low carbon energy, and recognise that even small-scale projects provide a valuable contribution to cutting greenhouse gas emissions; and*

- b) *approve the application if its impacts are (or can be made) acceptable. Once suitable areas for renewable and low carbon energy have been identified in plans, local planning authorities should expect subsequent applications for commercial scale projects outside these areas to demonstrate that the proposed location meets the criteria used in identifying suitable areas.'*

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

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

Policy DM2 of the SADMPP acknowledges that some development may be required outside of the development boundaries within countryside stating: *'The areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including...*

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

Policy DM20 of the SADMPP states: *'Proposals for renewable energy (other than proposals for wind energy development) and associated infrastructure, including the landward infrastructure for offshore renewable schemes, will be assessed to determine whether or not the benefits they bring in terms of the energy generated are outweighed by the impacts, either individually or cumulatively, upon:*

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

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

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

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

As such there is some conflict between these two overarching aims (protection of the countryside/high grade agricultural land and provision of renewable energy) and a balance is therefore required.

This application reflects the changes in legislation pertaining to the Nationally Significant Infrastructure Project ('NSIP') regime. In 2020, the UK Government announced that the caps on battery storage capacity for planning applications in England and Wales (50 MW and 350 MW respectively) would be removed. This means a battery storage proposal which exceeds these thresholds will no longer be considered an NSIP, and all applications for battery storage, regardless of their size, will be determined by local planning authorities. This proposal is for a facility with capacity just over 100MW and therefore falls within our remit.

The battery storage installation is being proposed to facilitate a more consistent supply of energy to the National Grid and to consolidate the battery storage capacity close to the existing power station.

The proposed installation may utilise excess power that may be generated at certain times of the day, store this power on-site and then export it back to the National Grid during periods when demand increases.

Whilst not specifically generating renewable energy, the BESS is considered to be 'associated infrastructure' in relation to the management and use of energy and the National commitment to carbon neutrality by 2050. It should therefore be considered in the context of Policies DM2 and DM20 of the Development Plan accordingly.

This will be explored below.

### **Impact upon countryside**

The Landscape Character Assessment produced by Chris Blandford Associates in 2007 and used to inform the Core Strategy, places this site within an area categorised as: The Fens – Open Inland Marshes - E2 Saddlebow and Wormegay.

The landscape is a transitional area of industrial and commercial land uses, beyond the settlement edge of King's Lynn, where the open landscape to the south of the site becomes more rural and punctuated with agricultural farmsteads (including farm buildings), isolated villages and small hamlets, being largely arable farmland and forming a generally flat open field landscape with some established field margins.

The local area in the vicinity of the site is also dominated by large scale energy related infrastructure, including the King's Lynn Power Station which lies just to the north, together with the recently completed gas Pressure Reducing Metering Station (PRMS) and National Grid Transmission System Minimum Off-take Connection (MOC), and there are pylons and overhead wires that cross the surrounding landscape.

The application is accompanied by a Landscape & Visual Impact Assessment (LVIA) with 20 representative viewpoints. This considers the development and mitigation measures in the form of landscaping proposals and assesses the likely impact upon the area.

The LVIA concludes that:

“The development of the Site will represent a slight degree of change on a relatively small part of the Saddlebow and Wormegay LCA (Landscape Character Area), in a location where it has a relatively lower sensitivity to change in respect of new low-level elements, compared to the wider landscape beyond. It is recognised that the proposed structures will be of a scale and

appearance much smaller and subservient than that of the more prominent surrounding features of the King's Lynn Power Station, which forms a prominent backdrop to new development (albeit includes the associated vegetation).

The proposed scheme includes significant planting of buffers, wooded blocks, trees and hedges to reinforce the landscape structure and provides softening of the battery energy storage facility integrating it (and some of the existing infrastructure) better into the landscape.

Overall, the significance of the landscape effects with regard to the proposed scheme ... has been assessed to represent a *Slight to Moderate Adverse Effect* on the landscape resource and landscape character in Year 1 following completion. Once the landscape scheme has established, the longer-term effect is considered to be a *Slight Adverse to Negligible Effect*.

The visual effects are limited and localised, where the effects on visual amenity are anticipated to range from *Moderate Adverse to Negligible Effect overall*. Once an established scheme has developed it is anticipated to range from *Slight Adverse to Negligible Effect*.

One set of the existing pylons on Site will also be removed and the cables sunk below ground which will in turn help to improve the character of the area and appearance of the Site looking in.

It is envisaged that whilst the scheme is reversible, the Site will cease to operate at some point in the future and will then allow the land to be restored; however, it is recognised that this will occur well beyond 15 years (being the time for the effects of the established scheme to be assessed), although at this point the existing vegetation that will have established will be retained in the landscape, ensuring longevity with the key green infrastructure elements."

Your officers agree with this conclusion. Set in this context, it is considered that the proposal would not significantly detract from the appearance and character of this part of the countryside. The equipment and buildings will be mostly screened by the proposed 2m high bunding in front of a secondary line of 3.5m high acoustic fencing, plus planting on the bund and hedging in the foreground on High Road. The only taller elements above the acoustic fencing would be the transformers, switch plant and surge arresters between 6.2 – 7.5m tall situated at the northern end of the site adjacent to the Pressure Reducing Metering Station (PRMS). The equipment and buildings may alter slightly at the detailed design stage and may also be painted in an appropriate colour scheme - this shall therefore be agreed by condition. The tree and hedgerow planting proposed to 'soften' the appearance of the development and assimilate it into its setting, combined with additional significant ecological benefits, may also be controlled via condition.

Beyond the compound to the south and north-east there are 33kV termination poles proposed where the existing powerlines are to be re-routed and buried to avoid the facility.

Given the proposed localised mitigating landscaping measures, the effect upon the character and appearance of this locality would not warrant grounds for refusal. The development is capable of being compatible to the provisions of the NPPF and Policies CS06, CS08, DM2 and DM20 of the Development Plan.

### **Loss of high-quality agricultural land**

Paragraph 174 of The National Planning Policy Framework (NPPF, 2021) states that planning policies and decisions should contribute to and enhance the natural local environment by recognising the 'economic and other benefits of the best and most versatile agricultural land'.

At Annex 2 of the NPPF, 'best and most versatile agricultural land' is defined as 'land in grades 1, 2 and 3a of the Agricultural Land Classification'.

Under the Natural England Agricultural Land Classification (provisional for England), the site (and surrounding area) is classed as Grade 2 farmland. Although the proposed development is located within a field of 'best and most versatile agricultural land', there are extensive areas of Grade 1 and Grade 2 farmland surrounding the site. Given the relatively small footprint of the proposed development (0.6ha including bunding), removal of the site area from agricultural use will not have a significant impact on the productivity of the farm as a whole and, in terms of Policy DM20, is not considered to be a significant loss of agricultural land.

Whilst development is proposed on grade 2 arable land, its temporary loss from production would be off-set by the significant sustainable benefits to the community gained from electricity storage/production. There are also significant biodiversity benefits associated with the landscaping proposal which will be discussed below. As stated above, the development is believed to be totally reversible and could return to agricultural use at the end of its lifespan (40 years). Once again this may be covered via condition.

The proposal therefore accords with Policies DM2 & DM20 of the SADMPP.

### **Flood risk implications**

The site lies in Flood Zone 3A of the SFRA and Tidal Hazard Mapping Zone produced by the EA; the application is accompanied by a site-specific FRA. This proposed development comprises 'essential infrastructure' which, according to national flood risk guidance, is compatible to FZ3 subject to passing Sequential and Exception Testing.

In terms of Sequential Testing there are no alternative reasonably available sites in lower flood risk zones capable of taking this development. It is proposed in this location as it is co-located to the Power Station and linkage to the national grid.

Whilst in Flood Zone 3A and THMZ, the site is in a defended location where the River Great Ouse flood defences provide a standard of protection of 1 in 200. Environment Agency modelling has considered the effect of a breach failure to the defences for a number of locations and produced combined breach mapping. The actual risk of a breach occurring is considered to be low as it is expected that flood defences would continue to be maintained to a good standard, as at present. The overall risk to the site from flooding from the River Great Ouse remains 'low'.

In order to mitigate against flood risk, it is proposed to raise the electrical equipment approx. 0.6m above existing ground level and in case of a flood, the agent informs that the equipment would be fitted with circuit breakers to isolate the facility from the network.

The Environment Agency raises no objection to this proposal subject to condition of details of a scheme to dispose of foul and surface water and for a scheme to contain and dispose of any contaminated water resulting from firefighting in the event of a fire.

Ground conditions are not suitable for infiltration of surface water run-off into the ground due to impermeable soils and the potential for a high groundwater level. A sustainable approach to surface water management is proposed using SuDS techniques that direct run-off into a detention basin/swale to the west of the compound for storage and controlled discharge off-site to the local ditch system. The off-site discharge is to be limited to 2.0 l/s/ha for the site. The use of Filter Drains and a swale/detention basin will provide water quality benefits to the receiving watercourse. This strategy complies with the requirements of Planning Policy and provides a sustainable approach to surface water management. The IDB are aware of this

proposal and the discharge will require their consent under the provisions of the Land Drainage Act.

It is concluded that the proposed development meets the exception test as the development would provide wider sustainability benefits that would outweigh flood risk, and it has been designed to mitigate and adapt to climate change and is not expected to increase the risk of flooding elsewhere. As such, the scheme complies with Policy CS08 of the Core Strategy, PPG and Section 14 of the NPPF.

### **Highway issues**

Access to the site is proposed via a new junction off High Road approx. midway along the frontage between the corner/FP8 and New Farm House. This would be to NCC specifications and metalled for 15m into the field. Thereafter a new track (5m wide) would be constructed across the field. This would have the appearance of typical vernacular farm tracks with a crushed stone running surface which would be allowed to grass over in time.

A detailed Construction Traffic Management Plan and Access Route accompanies the application. This illustrates the arrival and departure routes via the A10 and A47.

The Local Highway Authority has confirmed that the transport assessment is appropriate, and the haul route and access arrangements are satisfactory. All highway related issues can be secured via condition listed below.

The proposal therefore accords with Policies CS08, CS11 & DM15 of the Development Plan.

### **Ecology and biodiversity**

Within 2km of the application site there is a statutory designated site: The River Nar SSSI (Site of Special Scientific Interest) situated approx. 830m to the east separated by High Road and arable fields. Plus, two non-statutory designated sites: The Saddlebow Reedbeds County Wildlife Site (ref.404; 890m north) and West Winch Common County Wildlife Site (ref.390; 1.65km east).

The application is accompanied by an Ecological Assessment, including a Shadow Habitats regulations Assessment (HRA), which concludes inter alia that:

- a) The nearest designated sites are >800m from the Site and impacts are assessed as negligible. The Site and nearby areas are not suitable as habitat for birds or animals associated with Ramsar or Nature Directives sites in The Fens and West Norfolk, and will not impact the site integrity of any such sites;
- b) Species mitigation is proposed as follows:
  - \* Lighting impacts will be mitigated via the design of the proposed scheme, such that only limited security lighting will be required, and this will be controlled by activity sensors to limit the duration of lighting.
  - \* Nesting birds. Hedgerow removal and removal of any other vegetation or areas with intrinsic potential for nesting birds should avoid the nesting bird season (which runs from March to August inclusive), or otherwise follow an inspection to confirm that nesting birds are not present prior to works commencing.
  - \* Reptiles. Formal mitigation is not required for reptiles, as the work will not directly impact potentially suitable verge habitat.
- c) The development is located on arable cropland of low intrinsic value and of low importance to species, and the removal of the hedgerow will be mitigated by new hedgerow planting. The overall impacts of the scheme are therefore assessed as low.



The proposed landscaping scheme includes new planting of shrubs and wildflower grassland, and hedgerow planting in excess of hedgerow removal. The on-site change in habitat units is +11.04, equivalent to a net gain of +117.9%, and for hedgerow units the gain is +1.04 equivalent to a net gain of +97.5%.

Officers agree with the findings of the assessment and the HRA.

In respect of planning policy, the development complies with Policies CS12 and DM15 together with paragraph 174 of the NPPF in that it has appropriately considered biodiversity and ecological matters and will deliver a substantial net gain in biodiversity.

### **Impact upon neighbour amenity**

There are three residential properties affected by the proposal - a pair of cottages Nos. 1 & 2 High Road almost opposite the proposed new access point which are approx. 120m away from the compound and New Farm House south of the access point some 90m away. There is also a commercial tyre business which operates to the rear of New Farm House some 56m away.

A noise assessment has been undertaken by professional acoustic consultants to identify key sources of noise associated with the Battery Energy Storage System (BESS) that have potential to impact upon those adjacent residential receptors.

A 3.5m high acoustic protection fence/enclosure is included behind the bunding in the proposed development to reduce the potential level of noise at residential receptors. The assessment concludes that with this mitigation in place, 'the rated level of noise proposed by the proposed development is acceptable at the closest residential receptors based on a worst-case scenario. Additionally, during the night-time period, the level of noise falls below the internal noise criteria level for bedrooms.'

This conclusion/view is shared by our CSNN colleagues, and the mitigation measures may be secured via condition.

The application is also accompanied by a Construction Traffic Management Plan which would cover such things as dust suppression and wheel washing facilities. Once again this may be secured via condition.

As a result, the amenity of the nearest dwellings will be protected, complying with Policy DM15 and DM20 of the Local Plan in respect of noise.

It will be noted that initially the sailing club objected to the application, but this was subsequently removed.

### **Fire safety**

Concerns have been raised by Councillors and local residents with regards to fire precautions and refer to coverage of instances of fires at similar facilities most notably an incident in Merseyside some years ago.

In response to these concerns the agent states as follows:

"We note the concerns expressed by Cllr Kemp in relation to fire risks associated with our proposed battery energy storage (BESS) facility at Saddlebow, Kings Lynn and have met with Cllr Kemp to discuss these further. Whilst most of these are directed at Norfolk Fire & Rescue Service, Lynn Power/Cambridge Power Ltd would like to reaffirm our commitment to ensuring

appropriate fire prevention measures are in place to avoid such incidents occurring in the first place.

Fire safety considerations are of the utmost importance to Cambridge Power with a range of fire prevention measures being incorporated into all our facilities. The proposed BESS facility has been designed to comply with all current safety standards including adherence to NPFA 855 Standard for the Installation of Stationary Energy Storage Systems and relevant IEC (International Electrotechnical Commission) and UL standards to ensure safety. The proposed BESS facility will incorporate a wide range of safety management features including cooling systems and technologies to keep the internal operating environment cool, temperature monitoring and fault diagnostics. The installation will also be subject to high standards of monitoring and maintenance to ensure optimum performance and safety of the assets.

The proposed BESS installation comprises of battery racks, consisting of modules, which contain lithium-ion battery cells, which charge and discharge. Overcharging lithium-ion cells can, in isolated examples, risk their overheating and catching fire, known as thermal runaway, which can spread to other cells. The battery management system (BMS) controls the charge and discharge of cells in each module or pack, operating batteries in such a way as to avoid potential thermal runaway events and thus significantly reduce any fire risk. However, not all batteries are the same and that the risks of fire incidents can vary greatly depending upon the technology and battery chemistry. Lithium-ion batteries encompass several types of chemistries, some of which are far less sensitive to thermal runaway, due to their chemical composition. One of the safest in this regard is lithium iron phosphate (LifePO<sub>4</sub> or LFP) technology which is now becoming the predominant chemistry being used by battery manufacturers due to historic incidents with other less stable chemistries such as Lithium Ion NMC (nickel, manganese and cobalt) batteries which have a lower threshold for thermal runaway than LFP. Indeed, the battery facility at the Liverpool facility Councillor Kemp refers to used NMC based batteries. Unlike NMC and similar chemistries, LFP batteries do not produce oxygen during a thermal runaway event (and are also much more thermal runaway resistant due to their chemistry), greatly reducing their flammability. We can confirm that the proposed BESS will incorporate LFP-based batteries.

Indeed, the batteries currently proposed to be installed within the BESS have been tested for thermal runaway in accordance with UL 9540A. The BESS system passed the test without any flaming or deflagration...

It is increasingly standard practice that a Risk Reduction and Mitigation Strategy or similar report would be provided as part of the detailed level design (including construction and electrical details for instance) and secured by way of a pre-commencement planning condition. That is the approach that has been recommended in this instance by Norfolk Fire and Rescue Service in this case. This is in our view a reasonable and proportionate measure to further mitigate risks and we can confirm the Applicant's agreement to such a condition. We would stress that we have already engaged with Norfolk Fire and Rescue Service in relation to such matters and we can confirm our commitment to continue to engage and work with NF&RS as part of the development of a suitable Risk Reduction and Mitigation Strategy to satisfy any planning condition imposed in the event of an approval."

The site has potential access from two directions (from the north and south) which would afford access to fire services in response to an emergency. It will be noted that the consultation response from the Norfolk Fire & Rescue Service has not objected to this proposed development, subject to conditions covering fire risk and mitigation strategy, emergency response plan, transport strategy, automatic detection and fire suppressant systems, water supply and fire spread containment methods.

Looking at recent Planning Inspectorate appeal decisions, a comprehensive condition has been used for a Battery Safety Management Plan to be produced prescribing measures to facilitate safety during construction, operation and decommissioning of the BESS. This would cover all the aforementioned elements and is considered to be current best practice.

National Grid have issued a licence to connect to the network so there is capacity available, and they would ensure that there are no adverse implications relating to their infrastructure.

With the aforementioned measures to be secured via condition, the proposal would accord with Policy DM15 of the SAMPP.

### **Other material considerations**

*Archaeology:* Historic Environment Services indicate that the proposed development site lies in close proximity to cropmarks of possible medieval saltern mounds (the remains of medieval salt extraction) and an area of medieval and post-medieval settlement. In addition, there are cropmarks of a former sea bank immediately to the north. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) will be present at the site and that their significance will be adversely affected by the proposed development. A programme of archaeological mitigatory work in accordance with National Planning Policy Framework (2021), Section 16: Conserving and enhancing the historic environment, para. 205 can therefore be secured via condition.

*Crime and disorder:* There are no significant crime and disorder issues raised by this proposed development. Whilst the facility would be un-manned during the operation phase, CCTV cameras and infra-red lighting mounted on 4m high columns are proposed to ensure security of the facility without adversely affecting light pollution. It is not unusual for facilities such as this to be monitored and controlled remotely.

*Contamination:* The information submitted does not indicate the presence of significant land contamination. However, the presence of an infilled former drain means that it's possible that some unexpected contamination could be present. This may be covered via condition.

*Environmental impact assessment:* The proposal has been formally screened and does not require Environmental Impact Assessment. This has been confirmed under separate cover.

*Gas transmission/pipelines:* There is a considerable amount of infrastructure in the locality, and therefore consultation with Cadent Gas, National Grid and Palm Paper will be required regarding easements etc. to prevent conflict. A pre-commencement condition has however been applied with respect to Feeder 4 gas pipeline to negate a previous holding objection from National Grid.

*Devaluation of property:* The effect of proposed development upon property values, whether increased or decreased, is not a material planning consideration.

*Disruption to electricity supply to existing properties:* The connection of the facility to the National Grid would be managed by the operator and end user and should not affect the current supply/network.

### **PLANNING BALANCE/CONCLUSION**

Whilst the temporary (40 year) loss of grade 2 agricultural land is recognised, in the planning balance it is clear that considerable weight should be attached to the benefits associated to the production and management of sustainable energy as we push towards the national target

of Net Zero emissions before 2050. This is strongly supported in national policy guidance, as well as the Council's own planning policy. It also aligns with the Council's own Climate Change Strategy and Action Plan.

This is a relatively small area of land which would not create a significant detrimental effect upon productivity of the farm itself or that sector taken wholesically. In terms of Policy DM20, it is also not considered to be a significant loss of farmland.

It would also be seen in context with existing infrastructure nearby, and, with the introduction of associated landscaping, would not significantly affect the appearance and character of its wider countryside setting. It is therefore considered to be acceptable on landscape impact grounds.

There are no technical issues that cannot be dealt with via planning conditions and no objections from statutory consultees. Adverse impact upon residential amenity can be suitably controlled through mitigation measures such as a bund and acoustic fencing plus a Construction Traffic Management Programme (CTMP). Most notably there is no objection from the Norfolk Fire & Rescue Service to the scheme on safety grounds, and a safety plan can be suitably conditioned (as used by the Planning Inspectorate).

Overall, the proposal is considered to accord with the provisions of the NPPF, NPPG, Policies CS01, CS06, CS08, CS11 & CS12 of the Core Strategy (2011) and Policies DM1, DM2, DM15, DM17 & DM20 of the SADMPP (2016). It is therefore duly recommended for approval subject to certain conditions stated below.

#### **RECOMMENDATION:**

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

- 1 Condition: 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: With the exception of the details required in connection with Condition 7 below, the development hereby permitted shall be carried out in accordance with the following approved plans: Figure 1 - Proposed Site Location, Figure 4 - Proposed Site Layout, Figure 12 - Typical Access Track Detail and Figure 13 - Proposed Fence and Gate Details.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: The permission hereby granted is for the proposed development to be retained for a period of not more than 40 years from the date that electricity is first taken from the grid network (the first Import Date), this date to be notified in writing to the Local Planning Authority. By the end of the 40-year period the battery storage installation shall be decommissioned. No later than 6 months after decommissioning, all related structures, containers, equipment and infrastructure shall be removed and the site restored in accordance with a restoration scheme which has been submitted to and approved in writing by the Local planning Authority. The restoration scheme shall be submitted to the Local Planning Authority no less than 6 months prior to decommissioning. The Local Authority must be notified of the cessation of electricity importation and exportation in writing no later than 5 working days after the event.

- 3 Reason: To define the terms of this permission as the application site lies in the open countryside and it is important that once the development has ceased the site is brought back into a full agricultural use in accordance with the provisions of the NPPF and Core Strategy Policies CS06 and CS12 of the LDF.
- 4 Condition: If the development hereby permitted fails for a continuous period of 12 months to supply electricity to the grid network, then, unless otherwise agreed in writing with the Local Planning Authority, the associated buildings, equipment and infrastructure shall be decommissioned and removed from the site in accordance with a scheme to be submitted to the Local Planning Authority no more than 3 months after the end of the 12 month period. The land shall be reinstated in accordance with the scheme within a period of 6 months after the end of the 12 month period.
- 4 Reason: The application site lies in the open countryside and it is important that once the development has ceased the site is brought back into a full agricultural use in accordance with the provisions of the NPPF and Core Strategy Policies CS06 and CS12 of the LDF.
- 5 Condition: The landscaping shall be implemented in accordance with the Landscape Mitigation Plan dated 18 May 2022 ref: 2520-LLA-ZZ-00-DR-L-0001.
- 5 Reason: To assimilate the development into its countryside setting, in the interests of visual amenity and nature conservation and accord with the provisions of the NPPF and Core Strategy Policy CS12 of the LDF.
- 6 Condition: The approved landscaping scheme shall be completed during the first planting season following the commencement of the development, or such longer period as may be agreed in writing by the Local Planning Authority. Any trees/shrubs/plants which, within a period of five years of being planted die, are removed or become seriously damaged or diseased shall be replaced in the next planting season with others of similar size and species unless otherwise agreed in writing by the Local Planning Authority.
- 6 Reason: To ensure the work is carried out within a reasonable period and thereafter properly maintained, in the interests of visual amenity and nature conservation and accord with the provisions of the NPPF and Core Strategy Policy CS12.
- 7 Condition: Notwithstanding the plans submitted, prior to installation, full details of the battery units, store rooms, control rooms, structures and equipment (including the colour scheme), shall be submitted to, and agreed in writing by, the Local Planning Authority. The units and structures shall be painted in accordance with the agreed colour prior to commencement of use and shall be maintained in that condition thereafter.
- 7 Reason: In order to assimilate the development into its rural setting in accordance with the provisions of the NPPF and Core Strategy Policy CS08.
- 8 Condition: Notwithstanding the submitted details, the development hereby permitted shall not commence until such time as a scheme to:
  - dispose of foul and surface water; and
  - contain and dispose of any contaminated water resulting from firefighting
  - has been submitted to, and agreed in writing by, the Local Planning Authority. The scheme shall be implemented as agreed.

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

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

- 9 Condition: With the exception of the measures required under condition 8 above, the development shall be carried out in accordance with the recommendations of the submitted flood risk assessment and surface water drainage strategy produced by Rossi Long Consulting ref: 211272 [Rev 04] dated December 2022.

The mitigation measures shall be fully implemented prior to occupation/use and subsequently in accordance with the timing/phasing arrangements embodied within the scheme, or within any other period as may subsequently be agreed, in writing, by the Local Planning Authority.

- 9 Reason: In order to protect the development at times of high risk of flooding and to accord with the provisions of the NPPF and Core Strategy Policy CS08.

- 10 Condition: Prior to the first use of the development hereby approved, details of any method of lighting and extent of illumination to the access road and compound shall be submitted to, and approved in writing by, the Local Planning Authority. The lighting scheme shall be implemented as approved prior to the use of the development and thereafter maintained and retained as agreed.

- 10 Reason: In the interests of minimising light pollution, impact on ecology, and to safeguard the amenities of the locality in accordance with the NPPF.

- 11 Condition: The development shall be undertaken in accordance with the Construction Traffic Management Plan (Doc ref: 552/CTMP) compiled by Ethical Power Connections Ltd dated 25/05/2022 and submitted as part of this application, unless otherwise agreed in writing with the Local Planning Authority. These measures include the following:

- Site construction hours limited to 0800 hours – 1800 hours weekdays, 0900 hours – 1300 hours on Saturdays and not at all on Sundays and Bank Holidays;
- The first 20m of the access road from the adopted highway shall be surfaced with tarmac;
- The access shall at all times have a 5mph speed restriction in place;
- Wheel washing facilities shall be provided and used ; and
- Deliveries to and collections from the site shall be restricted to the hours of 0930 hours – 1500 hours weekdays only.

- 11 Reason: In the interests of maintaining highway efficiency and safety and to ensure that the amenities of the locality are maintained in accordance with Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

- 12 Condition: Prior to the first use of the development hereby permitted the vehicular access / crossing over the verge shall be constructed in accordance with the highways industrial access specification for the first 15m as measured back from the near channel edge of the adjacent carriageway and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposal of separately so that it does not discharge from or onto the highway.

- 12 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway

safety and accord with Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

- 13 Condition: The gradient of the vehicular access shall not exceed 1:12 for the first 15m into the site.
- 13 Reason: In the interests of the safety of persons using the access and users of the highway and to accord with Policy CS11 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).
- 14 Condition: Prior to the commencement of the use hereby permitted, visibility splays shall be provided in full accordance with the details indicated on the approved plans ref: C-700 Rev P03 and C-701 Rev P03. The splays shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 14 Reason: In the interests of highway safety.
- 15 Condition: No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation, 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation and 7) any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 15 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.
- 16 Condition: No development shall take place other than in accordance with the written scheme of investigation approved under condition 15 and any addenda to that WSI covering subsequent phases of mitigation.
- 16 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 17 Condition: The development shall not be occupied/used until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 15 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 17 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 18 Condition: Prior to the first use of the Battery Energy Storage System (BESS) hereby approved, a Battery Safety Management Plan (BSMP) shall be submitted to, and agreed in writing by, the Local Planning Authority. The BSMP must define the type of batteries to be used and prescribe measures to facilitate safety during the construction, operation and decommissioning of the BESS. The BSMP shall be implemented as approved.

- 18 Reason: To secure the safe operation of the facility and to accord with the provisions of Policy DM15 of the SADMPP (2016).
- 19 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.

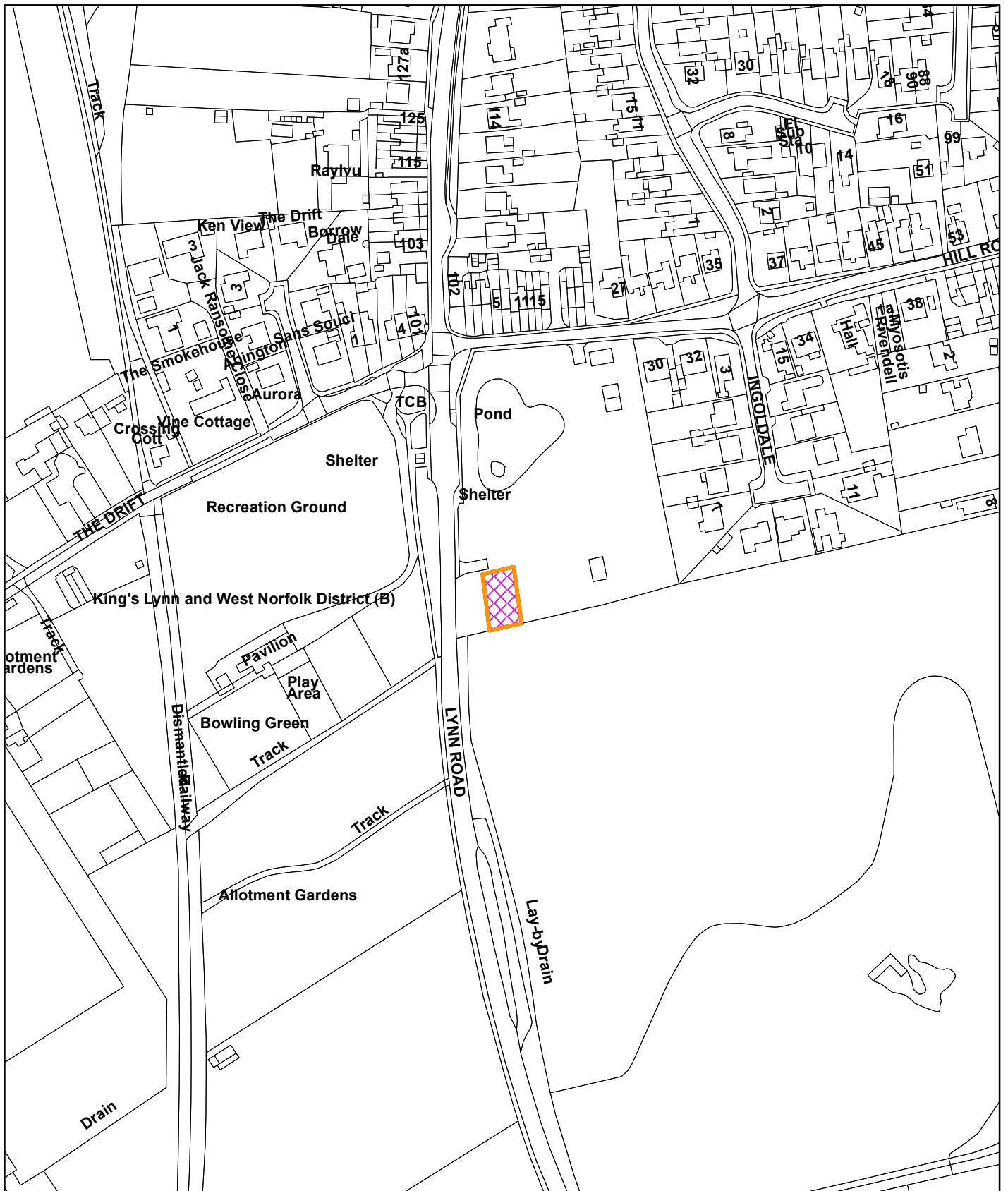
Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 19 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.
- 20 Condition: Prior to first operation of the development hereby permitted, the 3.5m high acoustic protection fence shall be erected as per the approved plans and shall thereafter be maintained for the life of the development.
- 20 Reason: In order to protect the amenity of this locality and nearby residences, and to accord with the provisions of the NPPF and Policy DM15 of the SADMPP (2016).
- 21 Condition: No development shall commence until details of any access or service crossings of the Feeder 4 gas pipeline, including plans and cross sections detailing existing and proposed levels and depths of underground utilities, are submitted to, and approved in writing by, the Local Planning Authority. Such details shall include an Earth Resistivity Study and any measures necessary to ensure the safe and continued operation of the gas pipeline and safe working arrangements. The scheme shall subsequently be implemented in full accordance with the approved details.
- 21 Reason: To ensure there is no adverse impact upon existing infrastructure within the site and to accord with the NPPF and Policy DM15 of the SADMPP (2016).



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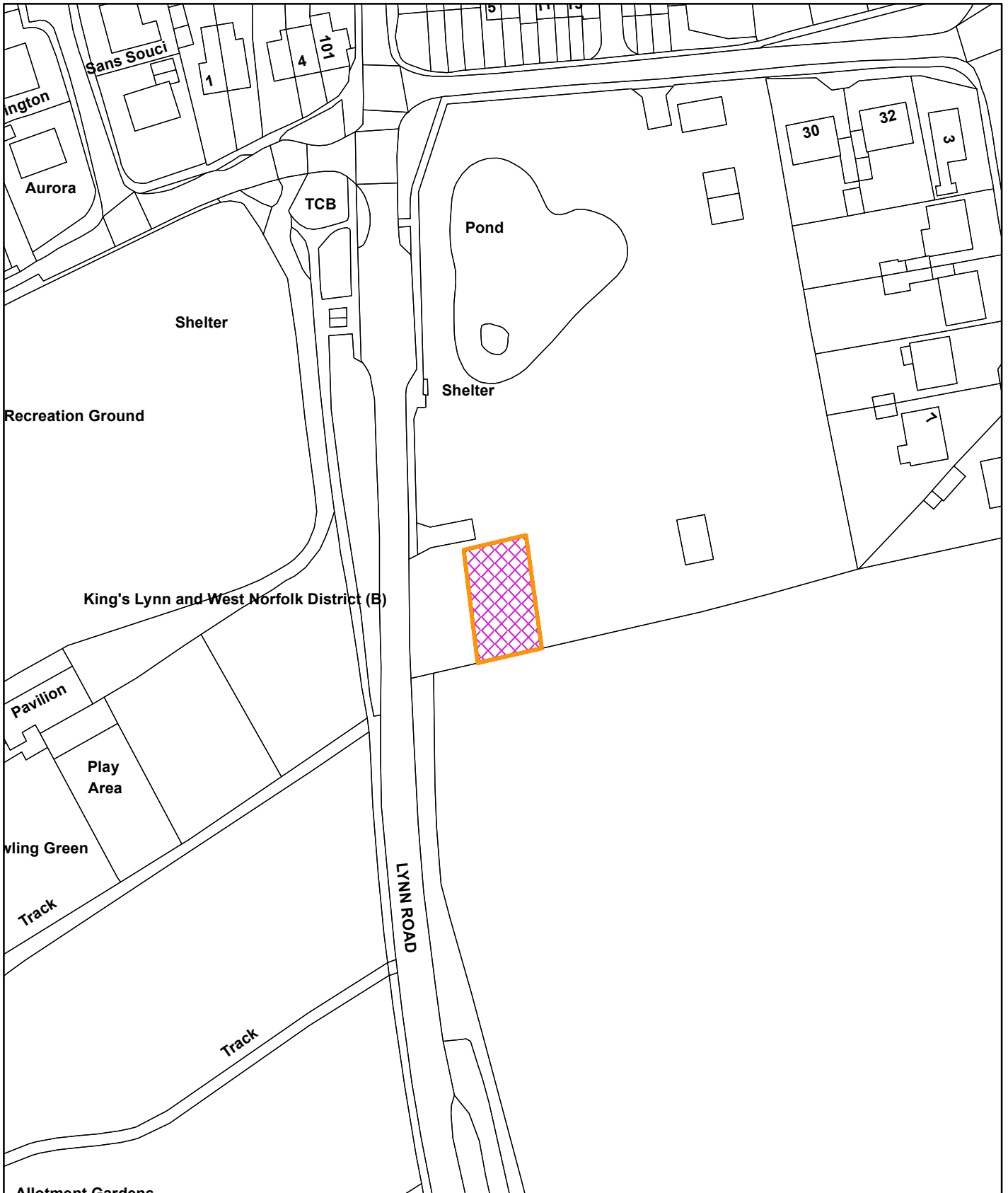


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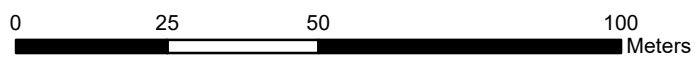


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<b>Parish:</b>	<b>Ingoldisthorpe</b>	
<b>Proposal:</b>	<b>Construction of dwelling on Plot 12</b>	
<b>Location:</b>	<b>12 Davy Field Lynn Road Ingoldisthorpe PE31 6TR</b>	
<b>Applicant:</b>	<b>J Sehgal</b>	
<b>Case No:</b>	<b>22/02135/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Olivia Luckhurst</b>	<b>Date for Determination: 15 February 2023 Extension of Time Expiry Date: 28 April 2023</b>

**Reason for Referral to Planning Committee** – Parish Council object and referred by Sifting Panel

**Neighbourhood Plan:** No

**Case Summary**

The application site is located Ingoldisthorpe which is classified as a rural village within Policy CS02 of the Core Strategy 2011. The plot is located within the southern corner of a previous approved residential development. The plot is positioned within the defined settlement boundary for the village which currently consists of three distinct parts, the largest being centred around the junction of Hill Road with Lynn Road.

The plot was granted permission for the erection of a self-build dwelling under application 18/02200/RMM and categorised as house type 'C3'.

The site is not located within a Conservation Area, Area of Outstanding Natural Beauty or within close proximity to any listed buildings.

The proposal seeks permission for a new two storey dwelling on plot 12. The appearance of the dwelling is similar to that previously agreed and complies with the design code agreed under 18/02200/RMM. The application has been amended since its original submission removing the proposed external staircase.

**Key Issues**

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

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site is located within the Ingoldisthorpe settlement boundary and is positioned adjacent Lynn Road.

The site already has permission for the siting of a new dwelling which was approved under 18/02200/RMM as part of a larger self-build residential development. The current application proposes an amended design incorporating an increased ground floor with roof terrace above as well as changes to the fenestration. The originally proposed external staircase has been removed from the application.

The proposed dwelling would measure 9.4m in height, 12.5m in width and 13.7m in depth and would be constructed from red brick, carrstone and black timber cladding.

The site would provide 3no. parking spaces for occupiers and the dwelling would incorporate 4no. bedrooms.

## PLANNING HISTORY

18/02200/RMM - Permitted - Reserved Major application: Residential development and new public amenity area (Committee)

18/02200/NMAM\_2 - Permitted - NON-MATERIAL AMENDMENT of Planning Permission 18/02200/RMM: Residential development and new public amenity area (Delegated)

20/01174/F - Permitted - REMOVAL OR VARIATION OF CONDITION 9 OF PERMISSION 18/02200/RMM: Reserved Major application: Residential development and new public amenity area (Delegated)

18/02200/NMAM\_1 - Permitted - Non-material amendment to planning permission 18/02200/RMM: Reserved Major application: Residential development and new public amenity area (Delegated)

## RESPONSE TO CONSULTATION

### **Parish Council: OBJECT on the following grounds:**

The NPPF states at paragraph 126 that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. It goes on to state at paragraph 136 development that is not well designed should be refused.

Policy CS08 of the Borough Council's Core Strategy similarly recognises that good design is a key element of sustainable development.

Policy DM 15 - Environment, Design and Amenity supports Policy CS08 and also recognises that development proposals should aim to create a high quality environment without detrimental impact on the amenity of new and existing residents.

The proposal put forward for Plot 12 continues to include a large glazed screen veranda stretching the length of the first floor accessed by way of a central metal staircase, overlooking neighbouring properties and gardens.

The proposal has a very negative impact on the amenity of existing neighbours, with a complete loss of privacy and reduced security.

Policy DM 15 - states that proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupiers of the proposed development. Proposals will be assessed against a number of factors including:

- Overlooking, overbearing, overshadowing;
- Light pollution; and
- Visual impact

The scale of the glazed veranda is over-bearing and completely out of context with this semi-rural location. It adds nothing to the quality of design of this new development, but rather detracts from approach of neighbouring properties.

Light pollution from such a large, glazed structure will reduce the amenity enjoyed by adjacent properties and could also be detrimental to local wildlife including protected species such as bats. It is still difficult to understand why a six-foot fence has been required between properties, when this proposal removes all privacy for neighbours.

Overall, the amended plans for this new property don't add anything in terms of the character and setting of the development. The proposal appears to maximise limited development potential with inappropriate proposals, at the expense of the long-term amenity of other residents. For all the reasons set out above the Parish Council urge that this proposal be rejected.

#### **Highways Authority:**

Access, with the public highway, for this development would be covered under previous planning applications and as far as the layout is concerned for plot 12, a condition requiring the proposed access/onsite parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

#### **Environmental Quality Officer:**

The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is on land not seen developed for the duration of our records. The surrounding landscape is largely residential or undeveloped. The applicant should be aware that property is in an area where Maximum radon potential is 10-30 %. We recommend the applicant seek advice from Building Control.

No potential sources of contamination are identified in our records, or in the information provided by the applicant. We have no objection regarding contaminated land.

#### **Housing Development Officer:**

No objections

### **REPRESENTATIONS**

A total of **3 REPRESENTATIONS** have been received expressing concerns regarding the amended design of plot 12.

The objections state that the proposed roof terrace would overlook the neighbouring property to the east, resulting in a loss of privacy to occupiers.

The comments also raised concerns regarding potential light pollution as a result of the proposed roof terrace as well as possible noise disturbance created by users of the terrace.

Objectors also voiced worries regarding the scale of the proposed extension and terrace and stated that the additions were out of keeping with the host property and surrounding dwelling.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS08** - Sustainable Development

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

The main considerations are:

- Principle of development
- Form and character
- Impact on neighbour amenity
- Other Matters

### **Principle of Development:**

The application site is located within the settlement boundary of Ingoldsthorpe which is designated as a Rural Village within the Site Allocations and Development Management Policies Plan 2016 (SADMPP).

The plot is located within an existing residential development and is positioned within the southern corner of the plot.

Permission for a dwelling on the site was previously granted under application 18/02200/RMM. This application granted approval for 12no. self build dwellings and incorporated a design code for all dwellings approved. The design code was agreed for all materials and fenestration. Therefore, the principal of development has already been established and is considered to comply with policy DM2 and DM15 of the Site Allocations

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and Development Management Policies Plan 2016 (SADMPP) and policies CS06 and CS08 of The Core Strategy 2011.

### **Form and Character:**

In this case, planning permission is sought for the erection of a two storey, 4no. bedroom dwelling.

Permission for a dwelling on the plot was previously granted under application 18/02200/RMM however, the dwelling incorporated a slightly different design.

The current application proposes a detached dwelling measuring 9.4m in height, 12.5m in width and 13.7m in depth. A new ground floor extension is proposed to in fill a corner of the dwelling. The addition would measure 3m in height, 5.9m in width and 4.9m in depth with a terrace positioned above (expanding the whole width of the extension and originally approved dwelling). The terrace would measure 12.5m in width and 4.9m in depth and would serve bedrooms 2 and 3.

The current design slightly differs from the originally approved dwelling with alterations including the removal of glazing on the eastern ground floor elevation, changes to the proposed second storey dormer windows and the removal of a Juliette balcony on the front elevation of the previous approval.

The proposed dwelling is considered to be of an acceptable scale, design and form that incorporates materials that appear in keeping with the host dwelling and surrounding properties. The proposed design also complies with the approved design code for the whole site.

The proposed design only slightly differs from the previous permission and the site's design code, with the biggest change being the addition of a first-floor terrace, however, this is positioned on the rear elevation of the dwelling. Although the property can be viewed from the street scene however, the proposed design is not considered to have a detrimental impact given the other examples of balconies and terraces within the development site.

It is also noted that permitted development rights were not removed from the original permission meaning that if the fallback position was implemented, the applicant could potentially build a larger extension which could incorporate two storeys.

The proposed dwelling is of an appropriate scale and would not appear overbearing in relation to the neighbouring properties. Examples of balconies and first floor terraces can also be seen on neighbouring properties within the site; therefore, the proposal complies with policy DM15 of the SADMPP 2016.

### **Impact on Neighbour Amenity:**

The application site allows for a sufficient separation distance of 1.5m to the east, 8.1m to the south and 1.2m to the west. The plot is enclosed by close boarded fencing which would partially screen the proposed ground floor addition.

The proposed dwelling is positioned slightly further back into the plot, however, given the orientation of the site and the scale of the property (set against properties of the same scale), the development is not considered to result in an unacceptable level of overshadowing or loss of light.

Concerns were raised by objectors regarding noise disturbance generated from the use of the proposed terrace. Whilst this is noted, the terrace would act as an amenity area for the

property similar to that of a garden, therefore, we cannot restrict the noise levels or the use of the terrace.

The Parish Councils comments are noted regarding potential overlooking, however, the proposed terrace would incorporate a privacy screen on the east and west of the dwelling measuring 1.7m in height, which would incorporate obscure glazing to prevent any potential overlooking (this would also be secured via a condition)

Due to the glazed screens, views from the terrace would be focused mainly to the south, into the applicants own private amenity space. The ground floor window serving the living area on the east elevation would be screened by the boundary fence and there are no windows positioned at first floor. There are no residential properties located to the south or west of the plot, with a dwelling located immediately to the east.

Therefore, the proposed dwelling is not considered to have a detrimental impact on residential amenity and the proposed terrace screening would sufficiently protect the neighbouring property from the loss of privacy and therefore, the development complies with policy DM15.

**Other Matters:**

**Highway Safety:**

The application site would be accessed via Hill Road and Lynn Road. The plot provides 3no. off road parking spaces in accordance with the Parking Standards for Norfolk 2020.

**Ecology:**

The original permission for this plot was granted under 18/02200/RMM which was supported by Biodiversity Management Plan. A condition would be added requesting a lighting scheme for outdoor lighting to be submitted prior to the first occupation. This would prevent light pollution and potential impact on bats.

**CONCLUSION**

Overall, the proposed development is considered to be of an acceptable scale, design and form which incorporates appropriate materials and resembles elements of the sites design code.

The proposed terrace would incorporate sufficient screen to prevent any overlooking or loss of privacy for the neighbouring property and the development as a whole would not have a detrimental impact on residential amenity. Therefore, the proposal is considered to comply with policy DM15 of the SADMPP 2016 and policy CS08 of the Core Strategy.

**RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.

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- 2 Condition: The development hereby permitted shall be carried out using only the following approved plans:

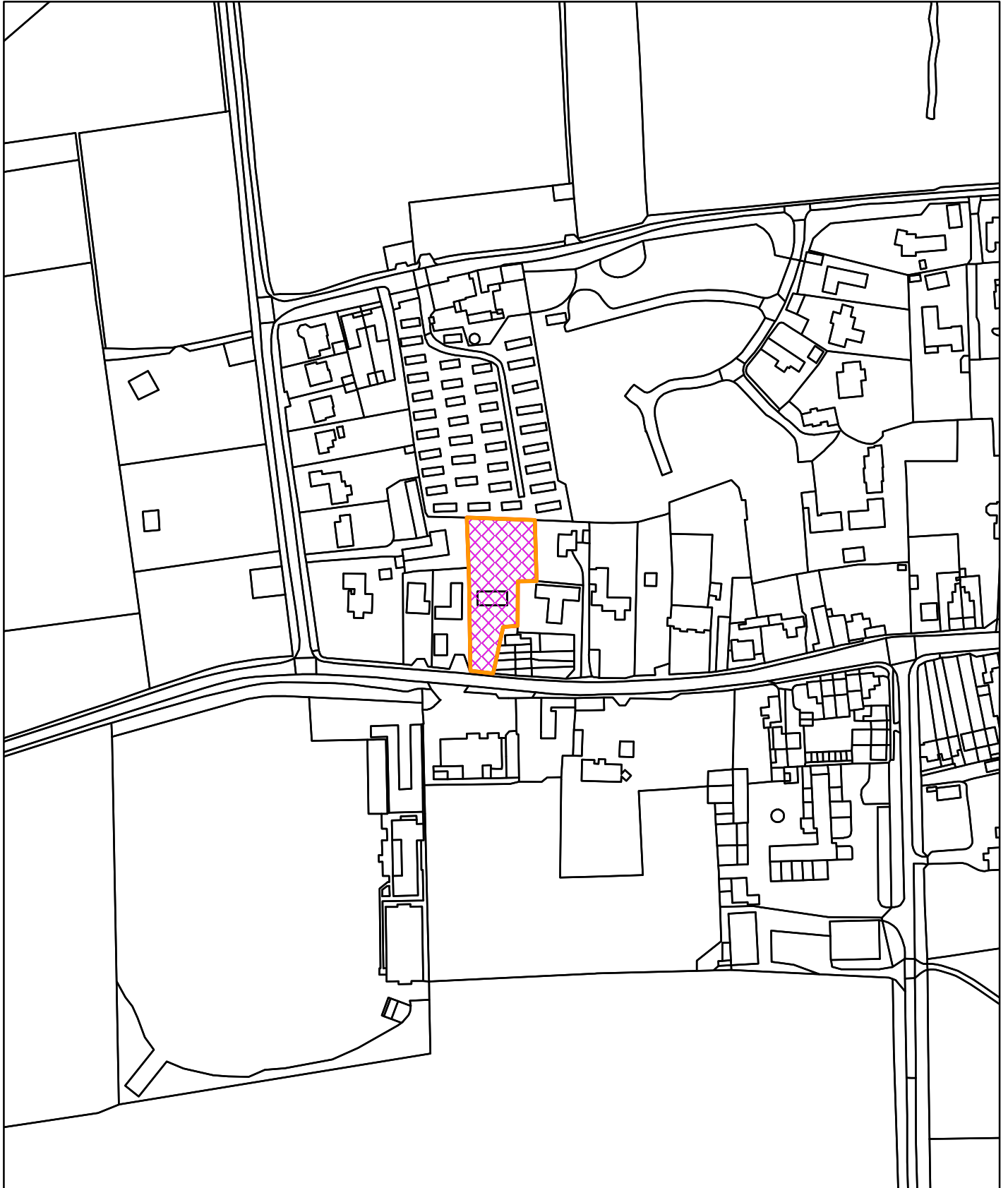
542-11 C PROPOSED SITE, LOCATION PLAN, PROPOSED FLOOR PLANS AND ELEVATIONS Received 09.02.2023

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Before the first occupation of the building hereby permitted a 1.7 metre high obscurely glazed screen shall be erected to the east and west side of the terrace in accordance with details which shall have first been submitted to and approved in writing by the local planning authority. The 1.7 metre-high screen to the east side of the terrace and the other screens shown on the approved plan shall thereafter be retained in perpetuity in the locations shown.
- 3 Reason: To protect the residential amenities of the occupiers of nearby property.
- 4 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason: To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 5 Condition: Prior to 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.
- 5 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 6 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.
- 6 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 7 Condition: The brick/stone to be used for the external surfaces of the building hereby approved shall be constructed in accordance with a sample panel prepared on site for the inspection and written approval of the Local Planning Authority. The sample panel shall be at least 1m x 1m and show the proposed material, bond and pointing technique to be used in the approved scheme.

- 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 first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 8 Reason: In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.

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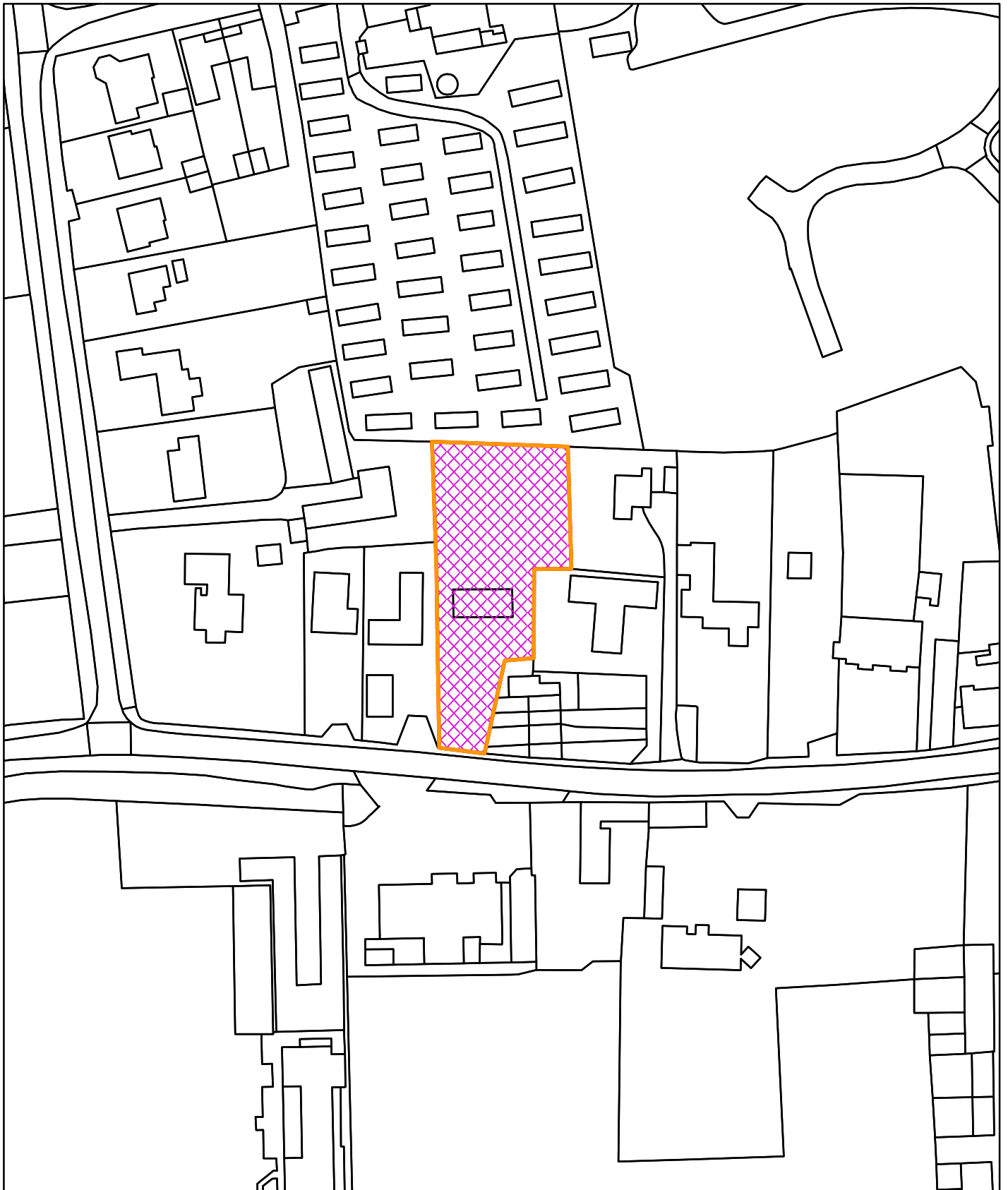
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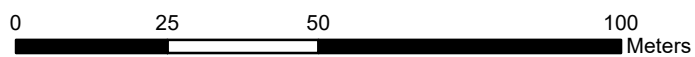


22/01913/F

Lombardy High Street PE36 6LX



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<b>Parish:</b>	<b>Thornham</b>	
<b>Proposal:</b>	<b>Construction of 2 new dwellings following demolition of existing dwelling</b>	
<b>Location:</b>	<b>Lombardy High Street Thornham PE36 6LX</b>	
<b>Applicant:</b>	<b>Mr Sam Jones</b>	
<b>Case No:</b>	<b>22/01913/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs Jade Calton</b>	<b>Date for Determination: 26 December 2022 Extension of Time Expiry Date: 28 April 2023</b>

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

**Neighbourhood Plan:** Yes

**Case Summary**

The application site relates to an irregular parcel of land measuring approximately 1688 sq.m and currently comprises a two storey detached dwelling and garden land. The site is situated on the northern side of High Street, Thornham, is within the Thornham Conservation Area and the Area of Outstanding Natural Beauty.

Full planning permission is sought for the construction of 2 x two storey detached dwellings following demolition of the exiting dwelling.

Thornham is classified as a Rural Village within the Development Plan.

**Key Issues**

- \* Principle of Development
- \* Form and Character
- \* Heritage Assets
- \* AONB
- \* Neighbour Amenities
- \* Highway Safety
- \* Other Material Considerations

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site relates to Lombardy, which is a modern two storey detached dwelling sited on an irregular shaped plot measuring approx. 1688 sq.m. The site is situated on the northern side of High Street, Thornham.

The site lies at the western end of the village, bounded by residential development to the east and west; a commercial caravan site directly to the north and the playing field and Thornham Deli on the opposite side of the road.

Full planning permission is sought for the construction of 2 x two storey detached dwellings following demolition of the exiting dwelling.

Plot 1 would replace Lombardy and is proposed to be located in a similar position within the site, albeit moved over towards the western boundary to allow for access along the eastern side to serve the proposed new dwelling to the rear of the site.

The existing dwelling is of simple construction with little architectural merit, comprising buff brick, brown pantiles and standard uPVC casement windows.

It is proposed to construct both new dwellings using local vernacular materials, including red brick, flint, red pantiles and natural timber cladding.

Lombardy measures approximately 7.6m overall in height and approx. 4.8m to its eaves. It is approx. 10.9m in width, plus the attached garage; 5.6m from its western boundary; 4.6m from its eastern boundary and is set approx. 33.6m from the front highway boundary.

Plot 1 would be approx. 9.1m in total height and 5.1m to its eaves. It would be sited 2.7m from the western site boundary; 8.1m from the east and approx. 28.9m from the front highway boundary. There would be approx. 21.4 between the rear elevation of Plot 1 and the front elevation of Plot 2.

Plot 2 would be 8.3m from the western boundary; approx. 1.9m from the east and 4.2 from the rear northern boundary.

During the course of the application, the applicants have compromised on the scale and design of the proposed dwellings, taking into consideration the character and context of the area.

## SUPPORTING CASE

A Planning Statement accompanies the application and offers the following supporting case:

### *Form and Character:*

The design and layout of the proposal responds positively to the context of the site and its surroundings, providing a pair of attractive, high quality family dwellings that respect existing building lines and the established form and character of the area.

In terms of size and scale, both proposed dwellings are in keeping with adjacent residential properties and would not appear incongruous in the streetscene. Although Policy H3 of the Thornham NP specifically supports new housing developments that consist primarily of 2-3 bedroom dwellings, it is noted that it does not preclude larger properties.

A contemporary approach has been taken for the design of the new dwellings whilst utilising traditional local materials in order to ensure the development integrates well with its surroundings. Each plot design is individual but the materials to be used provide consistency (red brick, flint, red clay pantiles and cladding) with similarities in the detailing.

In addition to the above, soft landscaping will include retention of existing trees and hedging plus new planting, which will help integrate the proposed development into its surroundings.

The proposed development therefore fully accords with the requirements of Policy D1 of the Thornham NP that requires proposals to: demonstrate high quality design; use a locally inspired range of materials; be guided by the proportions, height and plot orientation of existing dwellings; use designs that draw upon local character in terms of style to ensure new development enhances the distinctiveness and quality of the Parish as a whole; and demonstrates a layout that maximises the opportunity of the site to integrate new development with the existing settlement pattern and blend into the wider landscape.

Furthermore, in accordance with Policy H1 of the NP the proposal would not result in a cramped form of development and is of a scale, density, layout and design that is compatible with the character and appearance of the western end of Thornham; would not cause the loss of, or damage to any open space; will ensure the retention of the existing east boundary hedge and significant trees along with the provision of additional planting; would have a layout, access and parking provision appropriate to the site and its surroundings; and fully accords with all other relevant policies of the neighbourhood plan.

#### *Impact on Heritage Assets:*

The application site lies within the Thornham Conservation Area. As confirmed by the submitted Heritage Statement prepared by Richard Hoggett Heritage, the existing dwelling 'Lombardy House' is not considered to make any historical or architectural contribution to the streetscape or to the significance of the Conservation Area (CA).

On the contrary, due to its current poor condition, it is considered that the dwelling has a mild detrimental impact upon the Conservation Area's significance. As a result, the proposed demolition of Lombardy House would not result in any harm to the significance of the Conservation Area, or to that of the neighbouring 'important unlisted buildings' West End Cottages.

Overall it is considered that the proposed demolition of the existing dwelling and its replacement with 2 no. high quality dwellings constructed of local materials would enhance the western part of Thornham Conservation Area.

The proposal therefore accords with Policies CS06, CS08 and CS12 of the Council's Core Strategy (2011), Policy DM15 of the SADMPP (2016) and Policy HA1 of the Thornham NP.

#### *Impact on the Norfolk Coast AONB:*

The application site lies within the Norfolk Coast AONB, as does the whole of the settlement of Thornham.

Policy CS07 of the Council's Core Strategy (2011) seeks to balance the sensitive nature of the coastal area of West Norfolk with its AONB designation for landscape, with the need for economic and social development of the area. In doing so, it seeks to ensure that any new development enhances the distinctive local character of the coastal areas.

The proposed development of the site which is within the existing built up limits of the village of Thornham, would adhere to AONB policies and not result in any harm to its openness or other features for which it has been designated.

*Living Environment:*

The layout of the proposed development has been carefully designed in order to prevent any significant detrimental impact on the occupiers of existing neighbouring residential properties and also provide a high quality living environment for future occupiers of the pair of new dwellings.

The siting and orientation of both plots, coupled with their distance from shared boundaries and the position of principal habitable room windows seeks to prevent significant overlooking or loss of privacy to any of the existing properties that adjoin the site. 5.20. Each of the new dwellings proposed has generous private amenity space that is commensurate for family properties of this size. Furthermore, separation distances between both plots is sufficient to ensure a good standard of amenity for both sets of occupiers.

It is therefore considered the proposed development accords with Policies CS08 and DM15 of the Development Plan.

*Highways Considerations:*

There is an existing vehicle crossover serving the driveway for Lombardy House, positioned centrally along the site frontage. As part of the development proposals, this existing access would be improved and moved to the west in order to optimise the available visibility splay, as explained within the submitted Highway Access Appraisal carried out by Local Transport Projects.

In addition to suitable access and visibility being achievable, each dwelling will have space to park at least 4 no. vehicles within its frontage or carport areas. As a result, the proposal fully complies with the requirements of Policy CS11 of the Core Strategy, Policies DM15 and DM17 of the SADMP and Policy H1 of the Thornham NP.

*Arboricultural Considerations:*

A Tree Report and Arboricultural Implications and Tree Protection plan have been submitted in support of the application.

There are currently 7 no. existing mature trees situated on or immediately adjacent to the application site, predominantly along the site's shared boundaries. These are mainly category B and C trees within the only category A tree being located just beyond the shared boundary with the neighbouring Lifeboat Caravan Park to the north.

2 no. Scots Pine trees are proposed to be removed as part of the development proposals. Although these trees have been classified at Category B in quality, their proximity to the proposed dwelling is such that their retention would put significant constraints on construction and future occupiers would likely consider them a risk to their property. Furthermore, they are not overly visible from beyond the site. Accordingly, it is not considered that their removal will result in any detrimental effect on local visual amenity.

Additionally, as indicated on the submitted plans, the existing hedge along the eastern shared boundary with West End Cottages is proposed to be retained and new planting within both plots is proposed which will enhance the streetscene and wider Conservation Area.



In light of the above, the proposal fully complies with Policy CS12 of the Council's Core Strategy (2011) and Policy H1 of the Thornham NP.

## PLANNING HISTORY

22/00135/TREECA: Tree Application - No objection: 17/08/22 - Row 1 - Leylandii- fell, poor specimen. Row 2 - Spruce to fell, poor specimen. Row 3 - Thuja and Leylandii to fell, poor specimens. Group 1 - Apple to fell, poor specimen. Neglected. Replanting scheme for entire site, planting more suitable species (holm oak, acer, birch, mountain ash) through rear garden.

13/00006/TREECA: Tree Application - No objection: 06/02/13 - T1 and T2 two x Cherry Trees one to be felled and one to be pruned. T3 x 6 conifers (hedge) to be reduced in height by 1.5m within Conservation Area.

## RESPONSE TO CONSULTATION

**Parish Council: NO OBJECTION** – Comments summarised as follows: -

- The site is visually prominent.
- set within a number of substantial houses from Staithe House through to the Red House.
- thus in scale and mass it is not inappropriate.
- Parish Council pays close attention to both the relevant material considerations and also to its Neighbourhood Plan.
- TPC heard presentations from developer and architect and parishioners in its October meeting.
- It heard repeated objections from two parishioners at its November meeting.
- The developer and architect have in the spirit of good relationships been in contact with adjacent neighbours to the property and kept the PC informed of their developing plans and ideas.
- The Chair of PC and the Borough Councillor have both visited the property closest to the proposed development at the request of the owner.
- Council discussed the proposal at length in October meeting and have maintained a close dialogue since and have noted the amendments made by the developer and architect in response to concerns articulated by both councillors and parishioners.
- Council have unanimously agreed that they can now support the application.
- The latest revisions address the important consideration of loss of light: the space between the two properties is now just under 14ft/ 4.2 metres allowing more light to penetrate;
- the change of material on the west elevation from a dark brick to flint and panelling responds to the neighbour's particular request;
- the reduction in roof height of rear extension further helps in light transmission.
- Noting key factors in Neighbourhood Plan that are relevant: D1 Design Principles - Council agree that the design is in keeping with adjacent properties in terms of overall design, choice of materials and colour palette.
- H1 - Council believe the development is in line with this policy with regard to both para a and d. The two properties are on a large site, their scale and mass appropriate in context and this does not present an 'urbanised form of development'. The suggestion that some 6 or 7 smaller properties could have been constructed would be substantially more urban and generate a far greater degree of traffic movement than the two well-designed and appropriately spaced houses.

- The Council does not agree as suggested by a parishioner that 60% of the site is covered by the two properties. Planners can give an accurate figure on this though a rough estimate is circa 30%.
- H3 - While the two properties are both larger than the 2-3 bedroom suggestion in this policy, the policy only notes that such schemes would be supported.
- It does not prohibit the construction of larger properties.
- H4 - This policy relates to the loss of 'small buildings'. The original Lombardy house was not a small property and having been built in 1960's has no architectural features to commend it as noted by Conservation Officer.
- It is therefore not relevant to this application.
- There are no other significant relevant policies in Council's view.
- Thus, while recognising the concerns of parishioners, Council is clearly of the view that the development is in the general interest of the village and recommends approval

**Highways Authority: NO OBJECTION** – Subject to conditions relating to widening of the access; removal of PD for gates etc; laying out of the parking areas; and a scheme for construction worker parking.

**Historic England:** On the basis of this information, Historic England **do not wish to offer any comments**. We therefore suggest that you seek the views of your specialist conservation and archaeological advisers, and other consultees, as relevant.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** - No potential sources of contamination are identified in our records, or in the information provided by the applicant.

However, due to the age of the property on site there is the potential for asbestos containing materials to be present. With this in mind we recommend an appropriate informative.

**Conservation Team: NO OBJECTION** - This is a much improved scheme with better proportions than previously.

The use of the smaller windows in plot 2 is acceptable due to the proportions of the building as a whole.

Overall, although plot 2 remains large for the plot, plot one would result in less harm to the character of the conservation area and the non-designated terrace of cottages adjacent to the site. We therefore no longer object to the scheme as proposed in these revised plans.

**Norfolk Coast Partnership: NEUTRAL** – Condition external lighting.

## REPRESENTATIONS

Following the submission of amended plans, **TWO** representations received from third parties, **ONE OBJECTION** and **ONE NEUTRAL**, making the following comments: -

### OBJECTION:

- No longer overlooks;
- The height is a concern;
- Overshadowing
- Close to the eastern boundary;
- Block out light in the afternoon / evening;
- More pronounced in the winter;

- Requests that Plot 2 is moved further west;
- Should be taken in context that they are already overshadowed to the south and east by recent new builds;
- Very large (6-8 bedroom properties).

#### **NEUTRAL:**

- Much happier with latest plan for Plot 1;
- Sits better on the plot;
- Less of a barricade against marmalade Cottage;
- Concerned about loss of daylight to kitchen/diner/living space;
- Needs to be sufficient light without daytime electricity;
- Proximity of the building;
- Would like to see the building moved further to the east.

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

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS11** – Transport

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

#### **NEIGHBOURHOOD PLAN POLICIES**

**Policy D1:** Design principles for new development

**Policy H1:** Housing development within the development boundary

**Policy H4:** Replacement dwellings

**Policy HA1** Development Affecting the Conservation Area

**Policy HA2** Unlisted buildings and features of historic interest

**Policy L3:** Dark Skies

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)  
Planning Practice Guidance (PPG)  
National Design Guide 2021

### **Other Guidance**

Thornham Conservation Area Character Statement

## **PLANNING CONSIDERATIONS**

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

- Principle of Development
- Form and character
- Heritage Assets
- AONB
- Neighbour Amenity
- Highway Safety
- Other Material Considerations

### **Principle of Development:**

The application site is located in Thornham which is classified as a rural village within the Core Strategy. Limited minor development will be permitted which meets the needs of settlements and helps to sustain existing services in accordance with Policy CS06 Development in rural areas.

The proposal seeks consent for a replacement dwelling plus an additional dwelling, set within an established residential area. The site also lies within a designated Conservation Area where Policy CS12 relates, citing that the historic and built environment play a crucial role in delivering environmental quality and well-being. Therefore the Council will preserve and where appropriate enhance its qualities and characteristics.

In principle therefore, the development is acceptable in accordance with the Development Plan.

### **Form and Character:**

Thornham is characterised by an essentially linear pattern of development with High Street defining the village, and is a major part of the Conservation Area. Short side streets and lanes make up the rest of the Conservation Area as defined in the Conservation Area Character Statement.

With the exception of West End Cottages, the immediate locality comprises large detached dwellings set back from the road with spacious frontages. There are some examples of development in depth with properties set behind frontage dwellings, such as West End House to the north-east of the site and Staithe House annexe/holiday let to the north-west.

The amended plans demonstrate that the site can be adequately subdivided to accommodate development that is comparable to the surrounding established built form. Individually, the

plot sizes are comparable to those of West Hatch Cottage (directly to the east); West End House (to the north-east) and other development further to the east of the site.

The amended plans have reduced the overall scale and footprint of the proposed dwellings so that they are more traditionally proportioned in line with the established built form. Gable widths have been reduced, as have the heights of the rear projecting gables on plot 2. The layout has also been carefully considered and amended in order to retain a sense of spaciousness around the dwellings so not to overly detract from the open setting of the existing site.

The plans demonstrate that the dwellings can sit comfortably within their respective plots whilst providing adequate private amenity space, and parking and turning areas.

The replacement dwelling on Plot 1 would be sited slightly further forward of the existing dwelling but no further forward than its neighbours to the east and west, thereby not undermining the building line. Plot 1 has also been moved slightly closer to Marmalade House directly to the west in order to provide access to the additional dwelling to the rear of the site. However, the layout maintains adequate spaced between buildings.

Whilst the locality comprises traditionally designed dwellings, ranging from Georgian farmhouse proportions and symmetry to Edwardian cottage style dwellings with local vernacular materials, there are also examples of modern development directly adjacent to the site.

On this basis, the combination of traditional and modern design solutions within the proposed development, is considered to be in keeping with the established context and character of the area, in accordance with Neighbourhood Plan Policies D1, H1, H4, HA1 and HA2; Local Plan Policies CS08 and DM15 and the general provisions of the NPPF.

### **Heritage Assets:**

The existing dwelling Lombardy is a two storey detached dwelling of little architectural merit and as such offers a neutral contribution to the character and appearance of the Conservation Area (heritage asset) and adjacent non-designated heritage assets.

Lombardy is also set back within its plot and is therefore not visually prominent within the street scene. This means that the space to the site frontage, which would have once been associated with West End Cottages (directly to the south-east), plays an important role in the setting of the Conservation Area and is essential to the preservation of the non-designated heritage asset (NDHA) that is West End Cottages.

Paragraph 203 of the NPPF is relevant, stating that the 'effect of an application on the significance of a NDHA should be taken into consideration'. As such, any new development on the site is required to preserve or enhance the historic environment, having particular regard to the setting of the adjacent NDHA and its important contribution to the character of the conservation area.

Following the submission of amended plans, it is considered that the position of the proposed dwelling on Plot 1 retains the sense of spaciousness to the frontage, thus preserving the setting of the designated and non-designated assets.

The design, proportions and use of vernacular materials within the proposed scheme are also considered to have regard for the character and appearance of the area, and in particular West End Cottages and Thornham's wider Conservation Area.

The Principal Conservation Officer now considers that the proportions of the buildings as a whole are more acceptable and whilst Plot 2 remains quite large for the plot, overall, it would result in less than substantial harm to the conservation area and terraced cottages adjacent.

The proposal therefore accords with Neighbourhood Plan Policies D1, HA1 and HA2; Local Plan Policies CS08 and DM15 and section 16 of the NPPF.

### **Impact on Neighbour Amenity:**

The proposed replacement dwelling on Plot 1 will be sited closer to the neighbouring dwelling to the west when compared with the existing dwelling. Currently Lombardy sits approx. 6.8m from Marmalade Cottage to the west, whereas the proposed plans show the new dwelling to be located approx. 4m away.

There is only one small window at first floor level on the eastern flank elevation of the neighbouring dwelling that could potentially be affected by the proposal. However, this window serves a shower room / WC and is obscurely glazed. Therefore, any impact will be limited.

There are three small windows proposed at first floor level on the western elevation of Plot 1 which would serve en-suites and a bathroom and can therefore be conditioned to be obscurely glazed.

The front elevation of the proposed dwelling on Plot 1 would be sited slightly behind the front elevation of the neighbouring dwelling to the west and the rear elevation would not protrude past the rear elevation of the neighbour. This, together with the direction of the sun means that there would be no resulting significant overshadowing, loss of light or overbearing impact to the neighbouring property.

Plot 1 has a bigger separation distance from the neighbouring dwelling to the east, with approx. 16.4m (minimum) between the proposed dwelling and the rear-side elevation (garage) of West Hatch Cottage. The separation distance is adequate so not to result in a material loss of privacy, overshadowing or overbearing impact to the neighbouring residents to the east.

Whilst the proposed garage / carport to Plot 2 is sited approx. 1.9m from the shared boundary with West Hatch Cottage, due to its relatively small scale and orientation, it is not considered that it would cause any significant impact on the amenities of the neighbouring residents.

The proposed dwelling on Plot 2 would be sited approx. 18.3m from the northern elevation of West Hatch Cottage. There are no first floor windows to that elevation of the neighbouring dwelling that could be affected by the proposed dwelling on Plot 2. Whilst two of the proposed first floor windows to the front elevation of Plot 2 serve habitable rooms (bedrooms), there is sufficient separation distance from the western elevation of West Hatch Cottage, together with the acute angles of outlook, to prevent significant loss of privacy to the amenity space or direct window to window overlooking of the neighbouring dwelling.

Plot 2 has more of a direct relationship with the neighbouring dwelling to the east at West End House. Notwithstanding that, having assessed the merits of the proposal, any impact on neighbour amenity would be limited.

The eastern side elevation of Plot 2 would be sited approx. 12.3m from the side elevation West End House. There are no first floor windows proposed on the side gable of Plot 2, neither are there any on the western side elevation of the neighbouring dwelling. There is a small window serving a WC and a door to a utility room at ground floor level of Plot 2 and the neighbouring property has a large bay ground floor window facing the application site.

There is existing hedging, shrubs and garden trees to the site's eastern boundary, albeit with gaps in places, but there are no details as to whether this is going to be retained or replaced. Therefore a condition will be recommended for boundary treatment details to be submitted and agreed to ensure the privacy of the neighbouring residents.

Due to the angle of outlook from any first floor habitable room windows on Plot 2, there would be no material overlooking or loss of privacy to the property to the east.

Furthermore, the separation distance is sufficient enough to prevent an overbearing impact on the neighbouring property and the orientation of the proposed dwelling and relationship with West End House means that the proposal would not have a significant impact in regard to overshadowing or loss of light.

The property to the west of Plot 2 is an annexe / holiday let to Staithe House, with adequate separation distances between properties.

A caravan site is located to the north of Plot 2 and following the submission of amended plans, pulling the proposed dwelling away from the northern boundary, allowing 4.2m distance, it is not considered that the proposal would significantly impact of the general amenity of the holiday site.

In summary, it is considered that the proposed development complies with the general principles of the Neighbourhood Plan; Local Plan Policies CS08 and DM15; and the provisions of the NPPF.

#### **AONB:**

The site is located within the Norfolk Coast AONB, which has the highest status of protection in accordance with paragraph 176 of the NPPF.

The proposed development would be located in an established built up residential part of Thornham and involves the replacement of one existing dwelling. As such there would be limited wider impact on the landscape character of the AONB.

The scale, design and the use of high quality materials of the proposed scheme have been carefully considered to reflect the character and context of the area, in particular the historic rural environment. As such it is considered that there will be no harm to the intrinsic character of the AONB as a result of the proposed development.

In regard to dark skies, Local Plan Policy DM15 and paragraph 185(c) of the NPPF relate to light pollution, with the NPPF stating that 'new development should 'limit the impact of light pollution from artificial light on local amenity, intrinsically dark landscapes and nature conservation'.

Furthermore, Neighbourhood Plan Policy L3 also relates to the protection of dark skies, stating that 'development proposals where any external lighting is designed to minimise the extent of any light pollution that could be harmful to the dark skies which characterise this part of Norfolk will be supported, subject to conformity with other development plan policies'.

There have been no external lighting details submitted with the application. A condition is therefore recommended for such details to be submitted and controlled.

In terms of artificial light transmission from within the proposed dwellings, the majority of the windows are relatively small and there are no large expanses of glazing at first floor level, therefore the impact will be limited.

The ground floor glazed element on the eastern elevation of Plot 1 would have a flat roof canopy over, thus helping to mitigate against any significant light pollution.

Again, the glazed element on the west and north elevations of Plot 2 is at ground floor level and has an overhanging roof, which will reduce any internal light transmission.

There are no rooflights proposed in the new development.

There would clearly be a small cumulative increase in the amount of light pollution emitting from the site given that there will be a net increase in the number of dwellings by one. However, this should be balanced with the overall scale of the proposed development, and windows within it, and the nature of the surrounding environment. The fact that the proposed development will be located on an existing residential site, surrounded by residential dwellings and commercial holiday uses suggests that the increase in light pollution will not be material to warrant refusal of the application.

On the basis of the above, it is considered that the proposal accords with the abovementioned Development Plan Policies and the provisions of the NPPF.

### **Highway Safety:**

The existing site access would be utilised and is proposed to be upgraded in accordance with adopted standards.

The submitted plans demonstrate that there would be sufficient parking and turning provision for both proposed dwellings within their respective plots, also in accordance with adopted standards.

The Local Highway Authority raises no objection to the proposed development subject to conditions to be imposed.

The proposal is therefore considered to accord with Neighbourhood Plan Policy H1; Local Plan Policies CS08, CS11 and DM15; and the provisions of the NPPF.

### **Other Material Considerations:**

#### *Crime and Disorder*

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

#### *Third Party Representations*

All third party comments have been taken into full consideration in reaching a recommendation for this application. The concerns raised have been addressed above in the report.

In regard to the size of the proposed dwellings and the number of bedrooms, whilst Neighbourhood Plan Policy H3 encourages smaller new dwellings of 2-3 bedrooms, it does not entirely prevent larger housing. The Parish Council are in support of the application and state that they do not preclude larger houses which are in keeping with the surrounding area.

Furthermore, the Local Plan nor NPPF contain policies which restrict the size of replacement or new dwellings in locations such as this.



Notwithstanding this, it is accepted that the proposed dwellings are substantial in size and the space around the built form is an important contribution to the conservation area, therefore it is recommended that Permitted Development Rights are removed in relation to extensions and outbuildings by way of condition, in order to control any future development on the site.

In so far as the plot coverage is concerned, NP Policy H3 (size of dwellings) does not control percentages of gross internal floor area or building to plot ratios. NP Policy H4 (replacement dwellings) does however acknowledge that very few dwellings within the village have a plot coverage of more than 40% within their supporting text. But again, this is not strictly controlled within the policy itself, which states that 'the loss of small dwellings will only be supported where the replacement dwelling is designed to be appropriate to the character of its site and surroundings'.

As such it would not be reasonable for the LPA to control the plot coverage of the new and replacement dwelling. Consideration has been given to the general footprint and scale of the proposal and it is deemed to be in keeping with form and pattern of development in the area.

## **CONCLUSION**

Following negotiations and the submission of amended plans, it is your officer's opinion that the proposed development is acceptable in accordance with the Development Plan.

The principle of the site being subdivided and the construction of an additional dwelling to the rear is considered to be in keeping with the form and character of the immediate locality.

Whilst the proposed dwellings are substantial in size, it is considered that their scale, design, proportions and use of high quality local materials relate to the character and context of the built surroundings, preserving the significance of the adjacent non-designated heritage assets and the Conservation Area. In turn, there will be no harm to the special integrity of the wider AONB.

It is considered that the proposed development will have no significant impact on the amenities of neighbouring residents, in terms of overshadowing, loss of light, overlooking or overbearing impact due to the adequate separation distances involved.

As such, the proposal accords with the relevant policies contained within the Thornham Neighbourhood Development Plan (2021); the Core Strategy (2011); the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2021).

## **RECOMMENDATION:**

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

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

- JON02.01.07 Rev. G – Proposed Block and Location Plan;
- JON02.01.04 Rev. A – Garage Details;
- JON02.01.06 Rev. D – Plot 1 Proposed Plans and Elevations
- JON02.01.05 Rev. E - Plot 2 Proposed Plans and Elevations

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 3 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 4 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) 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.
- 4 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 5 Condition: No development over or above foundations shall take place until full details of all windows and doors has been submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 drawings of all new windows, joinery details, cross-sections and the opening arrangements. The development shall be implemented and maintained in accordance with the approved details.
- 5 Reason: In the interests of the character and appearance of the Conservation Area, in accordance with the provisions of the NPPF.
- 6 Condition: Prior to the first occupation of the development hereby permitted, the vehicular access indicated for improvement on Drawing No. JON02.01.07G shall be widened to a minimum width of 4.5 metres in accordance with the Norfolk County Council residential access construction specification for the first 4 metres as measured back from the near channel edge of the adjacent carriageway. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway
- 6 Reason: 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.
- 7 Condition: Notwithstanding the provision of the Town and Country Planning (General Permitted Development) Order (2015), (or any Order revoking, amending or re-enacting that Order) no gates/bollard/chain/other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 7 Reason: In the interests of highway safety.

- 8 **Condition:** Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/servicing/turning areas shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 8 **Reason:** To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 9 **Condition:** Development shall not commence until a scheme detailing provision for on-site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 9 **Reason:** To ensure adequate off-street parking during construction in the interests of highway safety. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 10 **Condition:** Prior to the first occupation of the development hereby approved, the following windows shall be fitted with obscure glass and retained thereafter as such:
- Plot 1**  
– 3 x first floor en-suite and bathroom windows on the western elevation.
- Plot 2**  
– 2 x first floor bathroom and ensuite windows on the northern elevation; and  
- First floor en-suite window on the eastern elevation.
- 10 **Reason:** In the interests of neighbour amenity, in accordance with the provisions of the NPPF.
- 11 **Condition:** Prior to the first occupation of the development hereby approved, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with approved scheme and thereafter maintained and retained as agreed.
- 11 **Reason:** In the interests of minimising light pollution and to safeguard the amenities of the locality in accordance with the NPPF.
- 12 **Condition:** Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B and D of the Town and Country Planning (General Permitted Development)(England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 12 **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.

- 13 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class E of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the provision within the curtilage of the dwelling house of any building or enclosure, swimming or other pool shall not be allowed without the granting of specific planning permission.
- 13 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.
- 14 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 14 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.
- 15 Condition: Prior to the first use or occupation of the development hereby approved, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate.
- 15 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.
- 16 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.
- 16 Reason: To ensure that the work is carried out within a reasonable period in accordance with the NPPF.

**PLANNING COMMITTEE – 24 April 2023**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the 3 April Planning Committee Agenda and the 24 April agenda. 63 decisions issued 57 decisions issued under delegated powers with 6 decided by the Planning Committee.
- (2) To inform Members of those applications which have been determined under the officer delegation scheme since your last meeting. These decisions are made in accordance with the Authority’s powers contained in the Town and Country Planning Act 1990 and have no financial implications.
- (3) This report does not include the following applications – Prior Notifications, Discharge of Conditions, Pre Applications, County Matters, TPO and Works to Trees in a Conservation Area
- (4) Majors are assessed against a national target of 60% determined in time. Failure to meet this target could result in the application being dealt with by Pins who will also receive any associated planning fee.

**RECOMMENDATION**

That the reports be noted.

Number of Decisions issued between 21 March 2023 – 5 April 2023

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	2	2	0		2	<b>100%</b>	60%	0	0
<b>Minor</b>	37	26	11	30		<b>81%</b>	80%	4	1
<b>Other</b>	24	22	2	18		<b>81%</b>	80%	1	0
<b>Total</b>	<b>63</b>	<b>50</b>	<b>13</b>						

Planning Committee made 6 of the 63 decisions, 9%

**PLANNING COMMITTEE – 24 April 2023**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

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**PURPOSE OF REPORT**

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

**RECOMMENDATION**

That the report be noted.

**DETAILS OF DECISIONS**

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<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
04.01.2023	29.03.2023 <b>Application Permitted</b>	23/00005/F	The Old Dairy Stanhoe Road Bircham Tofts Norfolk To erect a garden shed on the clients property on a site previously inhabited by another garden shed.	Bircham
08.02.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00034/TREECA	Rectory House Oxborough Road Boughton King's Lynn T1 - Ash - reduce top by 4m, sides by 3m to let light into ornamental garden	Boughton

31.01.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00027/TREECA	Coppice House Broad Lane Brancaster KINGS LYNN T1 - T2 - Elm - in decline - fell with stump left at a suitable height above ground level within Conservation Area.	Brancaster
07.02.2023	03.04.2023 <b>Application Permitted</b>	23/00216/F	Chimneys Cross Lane Brancaster KINGS LYNN Single storey rear extension with balcony	Brancaster
19.01.2023	23.03.2023 <b>Application Permitted</b>	23/00101/F	Bethany Newton Road Castle Acre King's Lynn Pebbled dash to be removed and replaced with new insulated lime render. Roof to be re-tiled, New steel flue liner from boot room fireplace, New timber sash windows with obscure glass. New timber and glass door to front elevation. Existing blocked window to be reopened and new clear glass to be installed. New timber and glass door and sash window to rear elevation in kitchen area. One of the existing outbuilding to be removed, and new timber framed outbuilding	Castle Acre

31.01.2023	21.03.2023 <b>TPO Served</b>	23/00025/TREECA	Burslem House North Street Castle Acre KINGS LYNN T1 - silver birch - 4-6m reduction - canopy reduction in both height and width - current height circa 16m. T2 - silver birch - 3-4m reduction - Reduction in height - current height circa 12m. T3 - silver birch - Fell - Stump to remain at a suitable height above ground level.	Castle Acre
31.01.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00028/TREECA	Applegarth 30A Lynn Road Castle Rising Norfolk G1 line of Field Maples - Current height 8m approx. reduce in height to 2 metres. Sides to be reduced by between 2 and 4 metres to establish hedge within Conservation Area.	Castle Rising
10.11.2022	29.03.2023 <b>Application Refused</b>	22/02014/F	Land Rear of 90 Sluice Road Denver Downham Market Norfolk Retrospective Application: Continued use of land as standing for two residential caravans for a temporary period of two years	Denver
09.11.2022	23.03.2023 <b>Application Permitted</b>	22/02030/F	Coach And Horses 77 Manor Road Dersingham KINGS LYNN Two storey rear extension, alterations and refurbishment of Public House following partial demolition.	Dersingham



26.08.2022	27.03.2023 <b>Application Permitted</b>	22/01659/F	Station House Station Road Docking King's Lynn Two storey extension, single storey garage and alterations to dwelling	Docking
27.01.2023	30.03.2023 <b>Application Permitted</b>	23/00199/F	Manor Holds Sandy Lane Docking King's Lynn VARIATION OF CONDITION 2 FROM PLANNING APPLICATION 20/01595/F - Replacement of existing dwelling with three dwellings	Docking
09.08.2022	04.04.2023 <b>Application Permitted</b>	22/01596/F	2A Ryston End Downham Market Norfolk PE38 9AX Two storey rear and side extensions and conversion of former school building to 7 Flats.	Downham Market
09.11.2022	23.03.2023 <b>Application Permitted</b>	22/01997/F	1 Nelson Avenue Downham Market Norfolk PE38 9JJ Timber frame wrap around rear and side structure to provide garaging for vintage campervan and carport	Downham Market
08.12.2022	23.03.2023 <b>Application Permitted</b>	21/00152/NMAM_1	Land S of Denver Hill N of Southern Bypass E of Nightingale Lane Downham Market Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00152/RMM: RESERVED MATTERS: Up to 300 dwellings and associated infrastructure and access	Downham Market

13.12.2022	22.03.2023 <b>Application Permitted</b>	22/02218/F	Land S of Dennis Sneezum Court And N of 37 Trafalgar Road Trafalgar Road Downham Market Norfolk Construction of one dwelling including new access	Downham Market
30.01.2023	23.03.2023 <b>Application Permitted</b>	23/00167/F	Napenda 86 Ryston End Downham Market Norfolk Proposed cart shed	Downham Market
08.02.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00035/TREECA	The Old Court House 27 London Road Downham Market Norfolk T1 - Beech - Reduce by 2m all round	Downham Market
27.02.2023	04.04.2023 <b>GPD HH extn - Not Required</b>	23/00365/PAGPD	25 Park Lane Downham Market Norfolk PE38 9SH Single storey rear extension which extends beyond the rear wall by 3.63m with a maximum height of 3.10m and a height of 3m to the eaves	Downham Market
16.11.2022	04.04.2023 <b>Application Permitted</b>	22/02046/F	East & West Rudham Pre School Group School Road East Rudham King's Lynn Proposed single storey extension to dwelling	East Rudham
06.02.2023	24.03.2023 <b>Tree Application - No objection</b>	23/00068/TREECA	Hazelwood Broomsthorpe Road East Rudham King's Lynn To completely remove a fallen holly tree and a number of other holly trees sprouting from the fallen tree	East Rudham

06.02.2023	05.04.2023 <b>Would be Lawful</b>	23/00209/LDP	Mallard Cottage Station Road East Rudham King's Lynn Certificate of Lawfulness: To alter the rear elevation by removing 1no. window and 1no. door and installing full height glazed bi-fold doors to the elevation	East Rudham
13.02.2023	29.03.2023 <b>Tree Application - No objection</b>	23/00041/TREECA	The Cottage School Road East Rudham King's Lynn T1 Sycamore - Fully Remove (With stump removed) and replant plum fruit tree nearby T2 Silver Birch - Partial Crown thinning and reduction of approx 1m in height. Existing Height 6.5m, New Height 5.5m. Crown thinning by 15% to reduce trees density. Crown reduction on sides by 50/75cm, branches are overhanging into neighbours property.	East Rudham
07.11.2019	28.03.2023 <b>Application Refused</b>	19/01929/F	The Old Forge Lynn Road East Winch King's Lynn Retrospective application for office/whelping room and change of use of land for keeping and breeding of dogs	East Winch

29.06.2022	24.03.2023 <b>Application Withdrawn</b>	22/01325/F	The Old Jam Factory Chapel Lane Emneth Norfolk RETROSPECTIVE APPLICATION: Continued Use of the ground floor as a dance studio and continued use of the first floor as a studio and storage including internal alterations	Emneth
22.11.2022	24.03.2023 <b>Application Refused</b>	22/02091/F	Land S of 37 To 39 And NE of 33 Gaultree Square Emneth Wisbech Erection of a 2-storey 3-bed dwelling	Emneth
02.03.2023	27.03.2023 <b>Application Permitted</b>	18/01464/NMAM_7	Land East of 11 To 37 Elm High Road Emneth Norfolk NON MATERIAL AMENDMENT TO PLANNING APPLICATION 18/01464/RMM: For construction of 117 dwellings	Emneth
18.11.2022	23.03.2023 <b>Application Refused</b>	22/02070/O	Land S of The Stables Paddock Lane Fincham Norfolk Proposed erection of single, detached, dwelling	Fincham
25.01.2023	27.03.2023 <b>Application Permitted</b>	23/00137/F	Midway Lodge High Street Fincham King's Lynn Two storey and single storey extension and alterations to existing dwelling	Fincham
09.01.2023	24.03.2023 <b>Application Refused</b>	23/00022/F	Beach Farm Beach Road Heacham Norfolk Variation of Condition 12 of Planning Permission 12/00197/F: Proposed change of use of existing agricultural buildings to holiday home use	Heacham

01.02.2023	28.03.2023 <b>Application Permitted</b>	23/00186/F	37 Church Lane Heacham King's Lynn Norfolk Single storey extension and alterations to dwelling with rendered facades and internal alterations.	Heacham
17.02.2023	23.03.2023 <b>GPD HH extn - Not Required</b>	23/00304/PAGPD	10 Folgate Road Heacham King's Lynn Norfolk Single Storey rear extension which extends beyond the rear wall by 5.7 metres with a maximum height of 3.9 metres and a height of 2.5 m to the eaves	Heacham
17.02.2023	04.04.2023 <b>Prior Approval - Refused</b>	23/00308/PAGAA	65 North Beach Heacham Norfolk Enlargement of dwelling house by construction of an additional storey creating an additional height of 2.6 metres.	Heacham
20.02.2023	24.03.2023 <b>CAMP Objection</b>	23/00321/CAMP	Land E of 70 South Beach Road Heacham Norfolk Consultation for an exempted camp site .	Heacham
02.12.2022	31.03.2023 <b>Application Permitted</b>	22/02173/F	Peddars End 20 Kirkgate Holme next The Sea Norfolk Extension of Existing Hall and Games Room	Holme next the Sea
09.01.2023	24.03.2023 <b>Application Permitted</b>	23/00023/F	8 Le Strange Terrace Hunstanton Norfolk Application for five new 1 bedroom apartments by change of use of commercial space and rear extension facilitated by demolition of 3no existing outbuildings.	Hunstanton

10.01.2023	28.03.2023 <b>Application Permitted</b>	23/00034/F	The Lord Napier 1 Guanock Terrace King's Lynn Norfolk Retrospective extension over garden area at ground floor and over first floor to encompass existing external staircase	King's Lynn
18.01.2023	31.03.2023 <b>Application Permitted</b>	23/00087/F	28 All Saints Street King's Lynn Norfolk PE30 5AD Proposed alterations to existing residential dwelling	King's Lynn
18.01.2023	05.04.2023 <b>Application Permitted</b>	23/00097/F	Wooden Tops 31 Norfolk Street King's Lynn Norfolk Part Change of use and conversion/renovation to create 5 Apartments.	King's Lynn
20.01.2023	03.04.2023 <b>Application Permitted</b>	23/00110/A	Woodgreen 83 High Street King's Lynn KINGS LYNN Advertisement application for 1 x non illuminated flat cut acrylic letters and logo on existing timber fascia and 1 x non illuminated projection sign	King's Lynn
23.01.2023	21.03.2023 <b>Application Permitted</b>	21/01979/NMAM_4	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

25.01.2023	03.04.2023 <b>Application Permitted</b>	23/00132/LB	28 All Saints Street King's Lynn Norfolk PE30 5AD Removal of the existing rear door and insertion of new bi-fold doors, insertion of new log burner with external flue, removal of ground floor internal wall and replacement with steel beam. Construction of new internal wall adjacent to the staircase and relocation of the kitchen	King's Lynn
26.01.2023	04.04.2023 <b>Application Permitted</b>	23/00144/A	The Woolpack Inn 110 - 114 Gaywood Road King's Lynn Norfolk Retrospective Adverstisment Application: 1x Externally Illuminated Static 6000mm long x 750mm high flat Shop Front Fascia application.	King's Lynn
26.01.2023	23.03.2023 <b>Application Permitted</b>	23/00146/FM	Queen Elizabeth Hospital Gayton Road Queen Elizabeth Hospital Site King's Lynn The development of surface-level Temporary Car Parks together with associated works, including landscaping and highways.	King's Lynn
30.01.2023	22.03.2023 <b>Application Permitted</b>	23/00172/LB	Smiths The Bakers 1 High Street King's Lynn Norfolk LISTED BUILDING CONSENT: Retrospective Application: Historic opening re-opened between No.1 and No.2 High Street.	King's Lynn

16.02.2023	05.04.2023 <b>Consent Required</b>	23/00292/T3	St Nicholas Close Street Works St Nicholas Close North Street King's Lynn APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED: Proposed 5G telecoms installation: H3G 15m street pole and additional equipment cabinets.	King's Lynn
21.02.2023	04.04.2023 <b>Tree Application - No objection</b>	23/00049/TREECA	Bay House Southgate Street King's Lynn Norfolk T1 Goat Willow - Prune back excessively overhanging branches over the neighbouring car park by up to 3 metres to balance the crown within a conservation area	King's Lynn
20.03.2023	24.03.2023 <b>Tree Application - No objection</b>	23/00071/TREECA	30 Nelson Street King's Lynn Norfolk PE30 5DY 5 DAY NOTICE: T1 Horse chestnut Tree - Fell	King's Lynn
10.01.2023	23.03.2023 <b>Application Permitted</b>	23/00031/F	White Chimneys 75 East Winch Road Ashwicken King's Lynn Proposed Replacement Dwelling	Leziate
17.02.2023	04.04.2023 <b>Application Permitted</b>	23/00309/F	Land E of Cottage Farm Mews NE of Hillside And S of the Street The Street Marham Norfolk VARIATION OF CONDITION 4 OF PLANNING CONSENT 18/01896/F: Residential development for 8 new dwellings, access road and car park, and associated works	Marham



22.12.2020	29.03.2023 <b>Application Permitted</b>	17/00055/NMA_1	Elliott House Hunters Drove Marshland St James WISBECH NON-MATERIAL AMENDMENT TO PLANNING CONSENT 17/00055/F: Proposed replacement dwelling including detached double garage (retrospective)	Marshland St James
05.01.2023	31.03.2023 <b>Prior Approval - Approved</b>	23/00111/PACU3	Nissan Hut And Farm Buildings N of Harston Black Drove Marshland St James Norfolk Notification for Prior Approval: Change of use of Agricultural Buildings to Dwellinghouse (Schedule 2, Part 3, Class Q)	Marshland St James
23.01.2023	28.03.2023 <b>Application Permitted</b>	23/00128/F	Avondale 274 Smeeth Road Marshland St James Wisbech Extensions And Alterations	Marshland St James
14.02.2023	28.03.2023 <b>Application Permitted</b>	23/00282/F	Quorn Foods Brandon Road Methwold Norfolk Proposed un-loading canopy	Methwold
28.02.2023	04.04.2023 <b>GPD HH extn - Approved</b>	23/00375/PAGPD	2 Denton Lodge Cottages Mundford Road Feltwell Norfolk Single storey rear extension which extends beyond the rear wall by 5.32m with a maximum height of 2.7m and a height of 2.7m to the eaves	Methwold

01.03.2023	29.03.2023 <b>Application Refused</b>	21/02111/NMA_1	11 Old Feltwell Road Methwold THETFORD Norfolk NON MATERIAL AMENDMENT OF PLANNING CONSENT 21/02111/F: Swimming pool cover and associated rooms, enlargement of the pool in length, application has been approved for a smaller version - 14/01193/F	Methwold
27.01.2023	30.03.2023 <b>Application Permitted</b>	23/00149/F	29 Woodland Gardens North Wootton Norfolk PE30 3PX Rear Extension.	North Wootton
27.01.2023	24.03.2023 <b>Application Permitted</b>	23/00154/F	59 Methwold Road Northwold Thetford Norfolk Demolish existing single storey side element. Two storey side extension and single storey rear extension	Northwold
10.02.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00037/TREECA	Sycamore House 43 High Street Northwold Thetford T1 Acer Negundo - Pollard at 2.5 metres currently 6 metres high	Northwold
23.01.2023	24.03.2023 <b>Application Permitted</b>	23/00129/F	Agricultural Barn N of Low Marsh Meadows Marsh Road Outwell Norfolk Construction of lean to over cattle handling system and holding pens	Outwell
26.01.2023	04.04.2023 <b>Application Permitted</b>	23/00141/F	Agricultural Barn N of Low Marsh Meadows Marsh Road Outwell Wisbech Open cattle shelter	Outwell

30.01.2023	04.04.2023 <b>Application Permitted</b>	23/00171/F	Low Marsh Meadows Marsh Road Outwell Wisbech Construction of feed store within existing farm yard for milled cereal and chopped forage feed	Outwell
16.02.2023	22.03.2023 <b>Application Withdrawn</b>	23/00305/PACU3	North Barn Beaupre Barns Marsh Road Outwell Notification for Prior Approval: Change of use of Agricultural Buildings to Dwellinghouse (Schedule 2, Part 3, Class Q)	Outwell
16.02.2023	22.03.2023 <b>Application Withdrawn</b>	23/00306/PACU3	South Barn Beaupre Barns Marsh Road Outwell Notification for Prior Approval: Change of use of Agricultural Buildings to Dwellinghouse (Schedule 2, Part 3, Class Q)	Outwell
13.06.2022	28.03.2023 <b>Application Refused</b>	22/01016/F	Labyrinth 9 Westgate Street Shouldham King's Lynn Retrospective application for the erection of 6ft rendered wall with aluminium slatted infill panels between each pillar and aluminium swing gates to the same height	Shouldham

03.02.2023	04.04.2023 <b>Application Permitted</b>	23/00202/F	Mill Farm House Mill Road Shouldham Thorpe Norfolk VARIATION OF CONDITION 2 AND CONDITION 3 FROM PLANNING APPLICATION 21/02398/F - PROPOSED CONVERSION OF EXISTING STRUCTURE TO FORM AN EXTENSION TO THE EXISTING RESIDENTIAL DWELLING	Shouldham Thorpe
23.12.2022	03.04.2023 <b>Application Permitted</b>	22/02288/F	Land S Carrstone Crescent And W of Sweetbriar Close Poppyfields Drive Snettisham Norfolk Proposed dwelling and garage including change of use from class E(a) to class C3 following the subdivision of the site.	Snettisham
18.01.2023	05.04.2023 <b>Application Refused</b>	23/00091/O	Land To the Rear of 24 Common Road Snettisham King's Lynn Outline application with all matters reserved for proposed chalet bungalow	Snettisham
23.01.2023	28.03.2023 <b>Application Permitted</b>	23/00118/F	11 Park Lane Snettisham Norfolk PE31 7NW New porch to front elevation and alterations to roof line on existing single storey extension to rear.	Snettisham

25.01.2022	29.03.2023 <b>Application Refused</b>	21/01276/NMA_1	North of 77 Castle Rising Road South Wootton King's Lynn NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/01276/F: Construction of two detached dwellings and garages	South Wootton
26.01.2023	23.03.2023 <b>Would be Lawful</b>	23/00192/LDP	56 Willow Road South Wootton King's Lynn Norfolk Application for a Lawful Development Certificate for the proposed installation of solar panels to south facing side of pitched roof	South Wootton
15.02.2023	29.03.2023 <b>GPD HH extn - Refused</b>	23/00307/PAGPD	4 Elmhurst Drive South Wootton King's Lynn Norfolk Single storey rear extension which extends beyond the rear wall by 5.85m with a maximum height of 4m and a height of 2.55m to the eaves.	South Wootton
08.02.2023	22.03.2023 <b>Tree Application - No objection</b>	23/00033/TREECA	Highfields Boughton Road Stoke Ferry King's Lynn T1 - Beech - dismantle to ground level. Stump not ground out.	Stoke Ferry
09.06.2021	29.03.2023 <b>Application Permitted</b>	19/00503/NMA_1	14 Hay Green Road North Terrington St Clement King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING CONSENT 19/00503/RM: Reserved Matters Application: construction of one dwelling	Terrington St Clement

21.12.2022	31.03.2023 <b>Application Refused</b>	22/02261/F	Land W of 1 And 1A Eastgate Lane Sutton Road Terrington St Clement KINGS LYNN Replacement of barn (approved for replacement / conversion) with new barn type dwelling house	Terrington St Clement
21.04.2022	04.04.2023 <b>Application Permitted</b>	22/00815/F	2 Islington Hall Cottages Islington Green Tilney All Saints King's Lynn REMOVAL OF CONDITION 6 OF PLANNING PERMISSION 15/01202/F: Construction of new stable block and outdoor menage plus upgrading of existing roadway	Tilney St Lawrence
03.01.2023	04.04.2023 <b>Application Permitted</b>	22/02313/F	Land N of 63 And S of 67 High Road Tilney cum Islington Norfolk New Dwelling	Tilney St Lawrence
20.06.2022	29.03.2023 <b>Application Refused</b>	22/01066/F	Finesse Motorsport Ltd The Common Upwell Norfolk The erection of a dwelling house with provision for vehicle/cycle parking and private amenity space.	Upwell
23.11.2022	23.03.2023 <b>Application Permitted</b>	22/02105/F	21 Green Road Upwell Wisbech Norfolk PROPOSED REPLACEMENT BUNGALOW	Upwell
01.03.2023	29.03.2023 <b>Application Refused</b>	21/02242/NMA_1	Fen Lodge Chalk Road Walpole St Peter Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/02242/F: Alterations and extension to bungalow forming additional bedroom, garden room and attached garage	Walpole

25.10.2022	23.03.2023 <b>Application Permitted</b>	22/01900/F	Fern House Market Lane Walpole St Andrew Wisbech Retrospective planning permission for various alleged planning contraventions in undefined agricultural areas, Domestic Dog kennel,Chicken Coop,Single Stables and Feed Storage Shed. Removal and replacement of 2 metre high fencing onto highway with 1 metre high fencing and planted area. Retention of existing Front Entrance vehicular gates and side personnel gate being 2230mm and 2100mm high respectively.	Walpole Cross Keys
07.11.2022	31.03.2023 <b>Application Refused</b>	22/01972/F	Manor House School Road Walpole Highway Wisbech Proposed permeable tarmac tennis court and pavilion.	Walpole Highway
26.08.2020	05.04.2023 <b>Application Refused</b>	20/01329/F	Maipop Farm Biggs Road Walsoken Norfolk Retrospective application for temporary farm dwelling unit (agricultural worker) by way of extension and improvement to existing approved caravans	Walsoken
08.06.2022	31.03.2023 <b>Application Permitted</b>	22/00991/F	Bronte House Lynn Road Walsoken Wisbech Erection of single detached dwelling and garage	Walsoken
14.11.2022	22.03.2023 <b>Application Permitted</b>	22/02028/F	The Lilacs 84 Broadend Road Walsoken Norfolk Extensions and Alterations.	Walsoken

06.12.2022	23.03.2023 <b>Application Permitted</b>	22/02188/F	Lilac Cottage Rectory Lane West Winch King's Lynn Current concrete base extended and single storey timber garage built on top a single course of bricks	West Winch
31.01.2023	27.03.2023 <b>Application Permitted</b>	23/00239/F	38 Eller Drive West Winch King's Lynn Norfolk Retrospective Log Cabin (Shed/Summerhouse) in the rear garden	West Winch
12.10.2020	28.03.2023 <b>Application Refused</b>	20/01566/F	Gyrwas Peters Drove Wiggenhall St Mary The Virgin WISBECH Erection of 2 x 20ft storage containers an 8ft square portaloo and an 18ft railway carriage to be stored on the land for storage of agricultural equipment, a workshop and welfare facilities (retrospective)	Wiggenhall St Germans
24.02.2023	24.03.2023 <b>Application Refused</b>	21/00758/NMA_1	50 Fitton Road Wiggenhall St Germans King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00758/F: Detached one bedroom annexe, including domestic workshop and therapy room for home business	Wiggenhall St Germans



26.01.2023	29.03.2023 <b>Application Permitted</b>	23/00140/F	Land South of 85 Stow Road Stow Road Wiggshall St Mary Magdalen Norfolk VARIATION OR REMOVAL OF CONDITIONS 1, 2 AND 6 OF PLANNING PERMISSION 22/01892/F: VARIATION OF CONDITION 1 OF PLANNING PERMISSION 21/00253/F: Reserved Matters application: Construction of 9 dwellings	Wiggshall St Mary Magdalen
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