

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



# Planning Committee

## Agenda

Monday, 8th April, 2024  
at 9.30 am

in the

Assembly Room  
Town Hall  
King's Lynn

Also available to view at:

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





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

**PLANNING COMMITTEE AGENDA**

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

Please ensure that all mobile phones are switched to silent

**DATE:** Monday, 8th April, 2024

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

**TIME:** 9.30 am

**1. APOLOGIES**

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

**2. MINUTES**

To confirm as a correct record the Minutes of the Meeting held on 4 March 2024 and the Reconvened Meeting held on 7 March 2024 (previously circulated).

**3. DECLARATIONS OF INTEREST (Page 6)**

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 Chair 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. CHAIR'S CORRESPONDENCE**

To receive any Chair's correspondence.

**7. RECEIPT OF LATE CORRESPONDENCE ON APPLICATIONS**

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

**8. GLOSSARY OF TERMS (Pages 7 - 10)**

a) **CORE STRATEGY POLICIES (Pages 11 - 32)**

**9. INDEX AND DECISIONS ON APPLICATIONS (Pages 33 - 157)**

The Committee is asked to note the Index of Applications and to consider and determine the attached Schedule of Planning Applications submitted by the Executive Director.

**10. DELEGATED DECISIONS (Pages 158 - 192)**

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

**To: Members of the Planning Committee**

Councillors B Aota, R Blunt, F Bone (Chair), A Bubb, M de Whalley, T de Winton, P Devulapalli, S Everett, S Lintern (Vice-Chair), B Long, S Ring, C Rose, A Ryves, Mrs V Spikings, M Storey and D Tyler

## 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 11 April 2024** (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 5 April 2024**. 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.

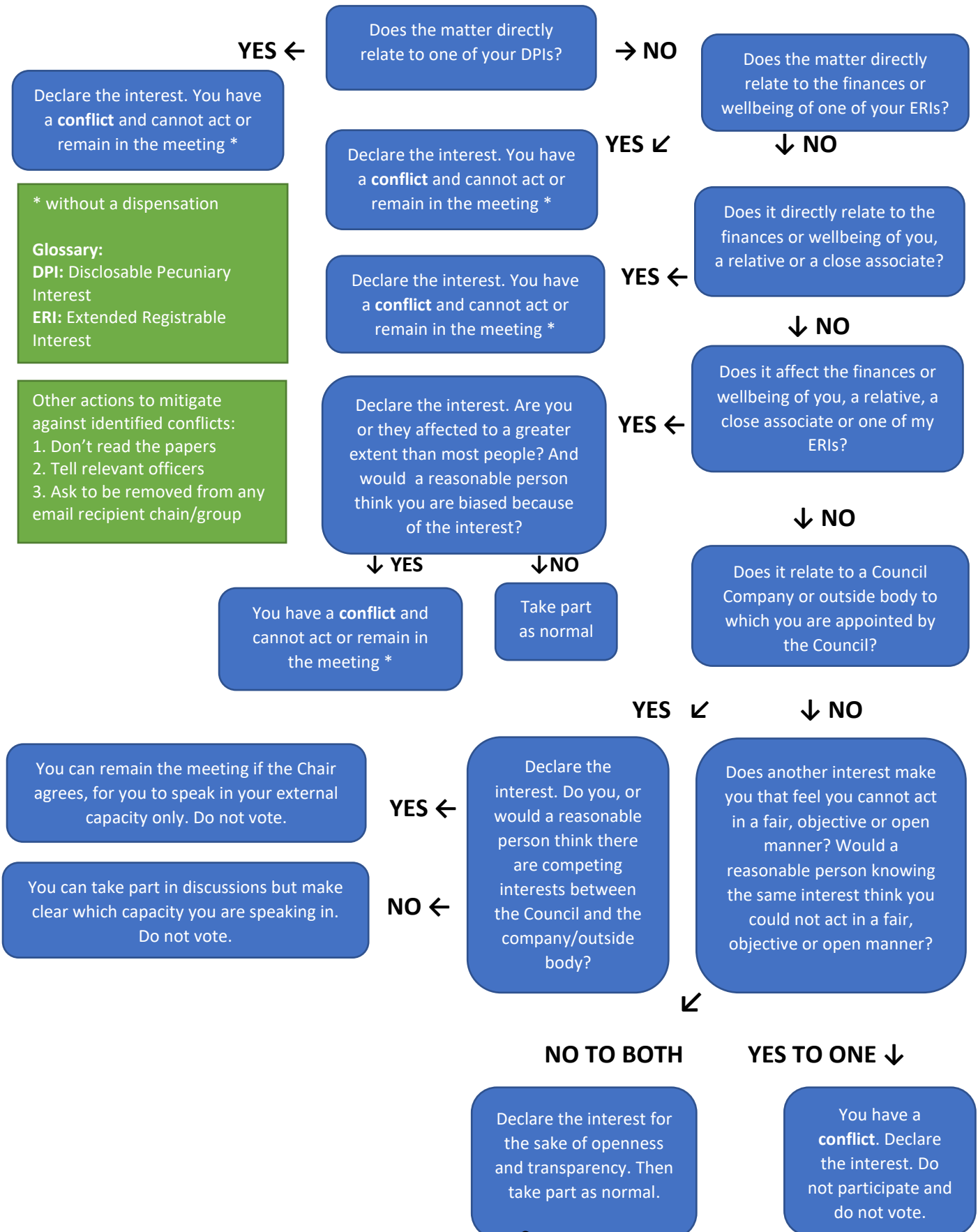
For Further information, please contact:

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

**DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART**



**START**



Declare the interest. You have a **conflict** and cannot act or remain in the meeting \*

\* without a dispensation

**Glossary:**

**DPI:** Disclosable Pecuniary Interest

**ERI:** Extended Registrable Interest

**Other actions to mitigate against identified conflicts:**

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

<b>Glossary of Terms and Abbreviations</b>	
AIA	Arboricultural Impact Assessment
AMS	Arboricultural Method Statement
AOD	Above Ordnance Datum
AONB	Area of Outstanding Natural Beauty (now National Landscape)
AQMA	Air Quality Management Plan
ATC	Air Traffic Controller
BCKLWN	Borough Council of King's Lynn and West Norfolk
BCN	Breach of Condition Notice
BNG	Biodiversity Net Gain
BS	British Standard
CA	Conservation Area
CCTV	Closed Circuit Television
CHZ	Coastal Hazard Zone
CIL	Community Infrastructure Levy
CLEUD	Certificate of Lawful Existing Use or Development
CLOPUD	Certificate of Lawful Proposed Use or Development
CRM	Collision Risk Modelling
CS	Core Strategy
CSH	Code for Sustainable Homes
CSNN	Community Safety and Neighbourhood Nuisance
CTMP	Construction Traffic Management Plan
CWS	County Wildlife Site
D and A	Design and Access Statement
DDA	Disability Discrimination Act
DEFRA	Department for Environment, Food and Rural Affairs
DISC	Discharge of Condition
DMPP	Development Management Policies Plan
DS	Design Statement
EA	Environment Agency
EBR	Economic Benefit Report
EIA	Environmental Impact Assessment
EN	Enforcement Notice
EVC	Electric Vehicle Charging
FFL	Finished Floor Level
FRA	Flood Risk Assessment
GCN	Great Crested Newts
GIRAMS	Green Infrastructure and Recreational Impact Avoidance and Mitigation Strategy
GPDO	General Permitted Development Order
HAS	Health and Safety Assessment
HELAA	Housing and Economic Land Availability Assessment

HPG	Historic Parks and Gardens
HRA	Habitat Regulations Assessment
HSE	Health and Safety Executive
IAQM	Institute of Air Quality Management
IDB	Internal Drainage Board
IROPI	Imperative Reasons of Overriding Public Interest
LB	Listed Building
LCA	Landscape Character Assessment
LDFCS	Local Development Framework Core Strategy
LHA	Local Highway Authority
LLFA	Lead Local Flood Authority
LP	Local Plan
LPA	Local Planning Authority
LVA	Landscape and Visual Appraisal
LVIA	Landscape and Visual Impact Assessment
MOD	Ministry of Defence
MUGA	Multi Use Games Area
NL	National Landscape (formerly AONB)
NCC	Norfolk County Council
NCP	North Coast Partnership
NDG	National Design Guide
NE	Natural England
NHBC	National House Building Council
NMDC	National Model Design Guide
NMP	Noise Management Plan
NNR	National Nature Reserve
NP	Neighbourhood Plan
NPPF	National Planning Policy Framework
NPPG	National Planning Policy Guidance
OIA	Ornithological Impact Assessment
OS	Ordnance Survey
PADHI	Planning Advice for Development near Hazardous Installations
PCN	Planning Contravention Notice
PCPA	Planning and Compulsory Purchase Act
PEA	Preliminary Ecological Appraisal
PINs	Planning Inspectorate
POS	Public Open Space
PPG	Planning Practice Guidance
PROW	Public Rights of Way
PS	Protected Species
PSS	Protected Species Survey
RP	Registered Provider



RPA	Root Protection Area
RS	Ramsar Site
RSS	Regional Spatial Strategy
S106	Section 106 Agreement (Planning Legal Agreement)
S278	Section 278 Agreement (provide the legal mechanism required to carry out highway alterations)
S38	Section 38 Agreement (secure new road adoption by the highway authority)
SAC	Special Areas of Conservation
SADMPP	Site Allocations and Development Management Policies Plan
SCI	Statement of Community Involvement
SD	Sustainable Development
SFRA	Strategic Flood Risk Assessment
SHLAA	Strategic Housing Land Availability Assessment
SHMA	Strategic Housing Market Assessment
SME	Subject Matter Expert
SOS	Secretary of State
SPA	Special Protection Area
SPD	Supplementary Planning Document
SS	Spatial Strategy
SSSI	Site of Special Scientific Interest
SUDS	Sustainable Urban Drainage Scheme
TA	Transport Assessment
TCPA	Town and Country Planning Act
TEMPO	Tree Evaluation Method for Preservation Orders
TPO	Tree Preservation Order
TPP	Tree Protection Plan
TRO	Traffic Regulation Order
UCO	Use Class Order
UU	Unilateral Undertaking
VA	Viability Assessment
VOA	Valuation Office Agency
WHO	World Health Organisation
WSI	Written Scheme of Investigation

#### Suffixes to Reference Numbers

A	Advertisement Consent
AG	Agricultural Prior Notification
BT	Adoption/Removal of BT Payphone Box
CM	County Matter
CU	Change of use (where no development is involved)

CON	Consultation by Adjoining Authority
DM	Demolition Prior Notification
F	Full Application (including Householder)
FM	Full Major Application
HZ	Hazardous Substance Application
LDE	Lawful Development Certificate (existing use or development)
LDP	Lawful Development Certificate (proposed use or development)
NMA	Non Material Amendment
O	Outline Application
OM	Outline Major Application
PACU	Prior Notification for a change of use (i.e. barn to dwelling)
PAGPD	Householder Prior Notification (larger home extension)
PAGAA	Householder Prior Notification (increase by adding an additional storey onto a dwelling)
PIP	Permission in Principle
RM	Reserved Matters Application
RMM	Reserved Matters Major Application
S257	Divert/stop up a Public Right of Way
T3	Telecoms Prior Notification
TPO	Application for works to Tree(s) subject to a TPO
TREECA	Application for works to Tree(s) in a Conservation Area

**CORE STRATEGY ADOPTED VERSION JULY 2011****POLICIES**

<b>POLICY No.</b>	<b>POLICY DESCRIPTION</b>	<b>POLICY SUMMARY</b>
CS01	SPATIAL STRATEGY	Development Priorities for the Borough
CS02	SETTLEMENT HIERARCHY	Decision on investment in services and facilities and on the location and scale of new development will be taken on the basis of the Borough settlement hierarchy
CS03	KINGS LYNN AREA	In support of the overall development strategy Kings Lynn will continue to meet its obligations as a Growth Point and Key Centre for Development and Change and develop as a sub-regional centre
CS04	DOWNHAM MARKET	The role of DM will continue as a main town providing and supporting employment and essential services for the southern part of the borough.
CS05	HUNSTANTON	The focus for Hunstanton will be on ensuring that as a main town it develops its position as a successful service hub for the local area, while strengthening the role as a tourist destination with year round activities.
CS06	DEVELOPMENT IN RURAL AREAS	The strategy for rural areas is to: <ul style="list-style-type: none"> <li>• Promote sustainable communities and patterns of development to ensure strong, diverse, economic activities</li> <li>• Maintain local character and high quality environment</li> <li>• Focus most new development in key rural service centres</li> <li>• Ensure employment, housing, services and other facilities are provided in close proximity</li> </ul>
CS07	DEVELOPMENT IN COASTAL AREAS	The Council will seek to balance the sensitive nature of the coastal area of West Norfolk with the national and international designations including the Area of Outstanding Natural Beauty for wildlife, landscape and heritage with the need for economic and social development of the area and the effects of climate change including the AONB for wildlife, landscape and heritage
CS08	SUSTAINABLE DEVELOPMENT	All new development should be of high quality design
CS09	HOUSING	The plan will identify sufficient land for a

	DISTRIBUTION	minimum of 16,500 new dwellings across the Borough over the period 2001 to 2026, (12,000 to 2021 and an additional 3,000 to maintain a 15 year supply from adoption date of the Core Strategy, anticipated 2011. The total also allows 10% for flexibility and non-completion of commitments etc.)
CS10	THE ECONOMY	The local economy will be developed sustainably
CS11	TRANSPORT – STRATEGIC ISSUES	The Council will work with partner organisations (including the Regional Transport Board, Highways Agency, public transport operators, Network Rail, Norfolk County Council and neighbouring authorities) to deliver a sustainable transport network which improves connectivity within and beyond the borough, and reinforcing the role of King's Lynn as a regional transport node
CS12	ENVIRONMENTAL ASSETS – Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity	Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.  The Borough Council will work with partners to ensure an integrated network of green infrastructure throughout the urban and rural areas (identified through the Green Infrastructure Management Plan and Econet map) is successfully created and managed
CS13	COMMUNITY AND CULTURE	(i) Delivering community well-being and enhancing quality of life through good design  (ii) Creating sustainable communities through the provision of community infrastructure  (iii) Protecting, enhancing and promoting cultural assets as well as facilitating new cultural facilities in growth areas
CS14	INFRASTRUCTURE PROVISION	All development in the plan area will need to be accompanied by appropriate infrastructure (including off-site infrastructure) in a timely way, with arrangements for its subsequent maintenance

**SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN ADOPTED  
VERSION SEPTEMBER 2016**

**POLICIES**

<b>POLICY No.</b>	<b>POLICY DESCRIPTION</b>	<b>POLICY SUMMARY</b>
DM 1	PRESUMPTION IN FAVOUR OF SUSTAINABLE DEVELOPMENT	<p>When considering development proposals the Council will take a positive approach that reflects the presumption in favour of sustainable development contained in the National Planning Policy Framework. It will always work proactively and jointly with applicants to find solutions that allow proposals to be approved wherever possible, and to secure development that improves the economic, social and environmental conditions in the area.</p> <p>Planning applications that accord with the policies in this Local Plan (and, where relevant, with policies in neighbourhood plans) will be approved without delay, unless material considerations indicate otherwise.</p> <p>Where there are no policies relevant to the application or relevant policies are out of date at the time of making the decision, the Council will grant permission unless material considerations indicate otherwise – taking into account whether:</p> <ul style="list-style-type: none"> <li>• Any adverse impacts of granting permission would significantly and demonstrably outweigh the benefits, when assessed against the policies in the National Planning Policy Framework taken as a whole; or</li> <li>• Specific policies in that Framework indicate that development should be restricted.</li> </ul>
DM 2	DEVELOPMENT BOUNDARIES	<p>Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.</p> <p>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:</p> <ul style="list-style-type: none"> <li>• farm diversification (under Core Strategy Policy CS06);</li> <li>• small scale employment (under Core Strategy Policy CS10);</li> <li>• tourism facilities (under Core Strategy Policy CS10);</li> <li>• community facilities, development in support</li> </ul>

		<p>(under Core Strategy Policy CS13);</p> <ul style="list-style-type: none"> <li>• renewable energy generation (under Policy DM20 of the rural economy or to this Plan);</li> <li>• rural workers' housing (under Policy DM6 of this Plan); and</li> <li>• affordable housing (under Core Strategy Policy CS09)</li> </ul> <p>In Smaller Villages and Hamlets, infilling in accordance with Policy DM3 will also be permitted in addition to those categories identified in the previous paragraph.</p>
DM 2A	EARLY REVIEW OF LOCAL PLAN	<p>An early review of the Local Plan will be undertaken, commencing with the publication of a consultation document (a Draft Local Plan) in 2016. This is set out in the Local Development Scheme (LDS). An early review will ensure a set of deliverable and achievable housing sites for the duration of the Plan period, with the most up to date policy framework to secure continuity for the longer term.</p> <p>The review will identify the full, objectively assessed housing needs for the District and proposals to ensure that this is met in so far as this is consistent with national policy (National Planning Policy Framework).</p>
DM 3	DEVELOPMENT IN THE SMALLER VILLAGES AND HAMLETS	<p>New development in the designated Smaller Villages and Hamlets will be limited to that suitable in rural areas, including:</p> <ul style="list-style-type: none"> <li>• small scale employment uses (under Policy CS10); community facilities (under Policy CS13);</li> <li>• smaller scale tourism facilities (under Policy CS10);</li> <li>• conversions of existing buildings (under Policy CS06);</li> <li>• rural exceptions affordable housing; and</li> <li>• development to meet specific identified local need, including housing to support the operation of rural businesses (under Policies CS01 and CS06);</li> </ul> <p><b>Plus housing as set out following:</b></p> <p>The sensitive infilling of small gaps within an otherwise continuously built up frontage will be permitted in Smaller Villages and Hamlets where:</p> <ul style="list-style-type: none"> <li>• the development is appropriate to the scale and character of the group of buildings and its surroundings; and</li> <li>• it will not fill a gap which provides a positive contribution to the street scene.</li> </ul> <p>In exceptional circumstances the development of small</p>

		groups of dwellings in Smaller Villages and Hamlets may be considered appropriate where the development is of a particularly high quality and would provide significant benefits to the local community.
DM 4	HOUSES IN MULTIPLE OCCUPATION	<p>The conversion of existing dwellings to and new development of properties for multiple occupation may be permitted where:</p> <ul style="list-style-type: none"> <li>• there is no adverse impact on the amenity of existing and new residents and the historic and natural environment; and</li> <li>• the development and associated facilities, including bin storage, car and cycle parking, can be provided without significant detriment to the occupiers of adjoining or neighbouring properties; and</li> <li>• the site is within reasonable distances to facilities, public open space, supporting services and local employment.</li> </ul>
DM 5	ENLARGEMENT OR REPLACEMENT OF DWELLINGS IN THE COUNTRYSIDE	Proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused.
DM 6	HOUSING NEEDS OF RURAL WORKERS	<p><b>New Occupational Dwellings</b></p> <ol style="list-style-type: none"> <li>1. Development proposals for occupational dwellings must demonstrate the stated intentions to engage in farming, forestry or any other rural-based enterprise, are genuine, are reasonably likely to materialise and are capable of being sustained. Proposals should show that the needs of the intended enterprise require one or more of the people engaged in it to live nearby.</li> <li>2. Agricultural or rural based occupancy conditions will be placed on any new permanent or temporary occupational dwellings specifying the terms of occupation.</li> </ol> <p><b>Permanent occupational dwellings</b></p> <ol style="list-style-type: none"> <li>3. New permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises, providing: <ol style="list-style-type: none"> <li>a. there is a clearly established existing functional need, requiring occupants to be adjacent to their enterprises in the day and at night,</li> </ol> </li> </ol>

		<ul style="list-style-type: none"> <li>b. the need could not be met by existing dwellings within the locality,</li> <li>c. the application meets the requirements of a financial test demonstrating that:</li> <li>d. the enterprise(s) and the rural based activity concerned have been established for at least three years, have been profitable for at least one of them and; <ul style="list-style-type: none"> <li>i. are currently financially sound, and have a clear prospect of remaining so and;</li> <li>ii. the rural based enterprise can sustain the size of the proposed dwelling;</li> <li>iii. acceptable in all other respects</li> </ul> </li> </ul> <p><b>Temporary occupational dwellings</b></p> <ul style="list-style-type: none"> <li>4. if a new dwelling is essential to support a new rural based activity, it should normally, for the first three years, be provided by a caravan, or other temporary accommodation.</li> <li>5. new temporary dwellings should only be allowed to support rural based activities providing: <ul style="list-style-type: none"> <li>a. the proposal satisfies criteria 3a and 3b above</li> <li>b. the application is supported by clear evidence of a firm intention and ability to develop the enterprise concerned (for example significant investment in new farm buildings is often a good indication of intentions);</li> <li>c. the application is supported by clear evidence that the proposed enterprise has been planned on a sound financial basis.</li> </ul> </li> </ul> <p><b>Existing Occupational Dwellings</b></p> <ul style="list-style-type: none"> <li>6. preference will be given to retaining agricultural or other rural based occupancy dwellings where there is a local identified need.</li> <li>7. proposals for the relaxation or removal of agricultural occupancy conditions will only be permitted where the applicant can demonstrate that: <ul style="list-style-type: none"> <li>a. the dwelling has been occupied in accordance with the terms of the occupancy condition for a minimum of 5 years; and</li> </ul> </li> </ul>
--	--	--



		<p>b. there is no longer a need for the dwelling by those working, or last working, in the locality in agricultural, forestry or a rural enterprise, established by evidence of marketing (including the provision of details of an independent market valuation reflecting the occupancy condition, as well as all viewings and offers made) for a 12 month period at a price that reflects the occupancy condition.</p>
DM 7	RESIDENTIAL ANNEXES	<p>Development of residential annexes will be approved only subject to the following being secured by condition or planning agreement:</p> <ul style="list-style-type: none"> <li>• it remains in the same ownership as, and is occupied in conjunction with the principal dwelling; and does not appear as tantamount to a new dwelling</li> <li>• it is ancillary and subordinate in scale to the principal dwelling; • Its occupant(s) share(s) the existing access, garden and parking of the main dwelling;</li> <li>• occupation of the annexe is subsidiary to that of the main dwelling; and</li> <li>•</li> <li>• not capable of sub-division.</li> </ul> <p>Development of residential annexes outside the development boundaries of settlements will also be judged against the criteria in Policy DM5: Enlargement or Replacement of Dwellings in the Countryside.</p>
DM 8	DELIVERING AFFORDABLE HOUSING ON PHASED DEVELOPMENT	<p><b>Allocated Sites</b></p> <p>On sites allocated for residential development through the Local Plan process the requirement to provide affordable housing under Core Strategy CS09 Housing will apply jointly to the whole of a single allocated site that is developed incrementally (through sub-division etc.) and where development of the whole site results in a requirement for a proportion of (or in exceptional circumstances a contribution to) affordable housing.</p> <p><b>Windfall Sites</b></p> <p>On windfall sites the requirement to provide affordable housing under Core Strategy CS09 Housing will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) affordable housing. If</p>

		<p>the application site satisfies one or more of the following criteria, then it will be considered to be part of a larger site for the purposes of this policy:-</p> <ul style="list-style-type: none"> <li>• land ownership – If an application site is in the same ownership as one or more adjacent plots of land at the time the application is made or within 3 years of the date the application is made and development of those sites would comply with other policies of the Local Plan;</li> <li>• planning history – If there is evidence of previous applications for development of a larger site of which the application site forms a part within the past 3 years of the date an application is made and development of the larger site would still be acceptable under other policies of the Local Plan; or</li> <li>• extensions to existing consented development – If the site forms an extension to a development that has been approved in the 3 years before the application is made and which is still capable of being implemented or the site forms an extension to a development that is being built out on the date the application is made.</li> </ul>
DM 9	COMMUNITY FACILITIES	<p>The Council will encourage the retention of existing community facilities and the provision of new facilities, particularly in areas with poor levels of provision and in areas of major growth.</p> <p>Development leading to the loss of an existing community facility will not be permitted unless it is demonstrated that either:</p> <ol style="list-style-type: none"> <li>a) the area currently served by it would remain suitably provided following the loss, or if not</li> <li>b) it is no longer viable or feasible to retain the premises in a community facility use.</li> </ol>
DM 10	RETAIL DEVELOPMENT	<p>The Council attach a high priority to the need to support and maintain King's Lynn, Downham Market and Hunstanton as major retail centres. This will be achieved by a combination of measures to improve attractiveness (by increased accessibility, environmental enhancements, events and promotions), as well as strongly supporting proposals to redevelop and invest in the town centres including, where necessary, the use of compulsory purchase powers to consolidate land.</p> <p>New retail uses will be expected to be located in these town centres unless an alternative location is</p>

		<p>demonstrated to be necessary. If there are no suitable sites in the town centre, an edge of centre location will be expected. Other locations will only be acceptable where it is demonstrated either that there are no suitable sites in the town centre and edge of centre, or the format or nature of the proposed use would not be appropriate in a town centre location (e.g. bulky goods and trade, rural retail services, etc.).</p> <p>The Council will strongly resist proposals for out of town retail uses that either individually or cumulatively would undermine the attractiveness and viability of the town centres. Retail impact assessments will be required for individual schemes having a floorspace of greater than 2500 square metres, although in the case of the Hardwick area in King's Lynn (where there is already a significant accumulation of out of town centre retailing) greater weight will be attached to the cumulative impact of new development on the town centre. New retail uses in this area will not be subject to a floorspace threshold and will only be approved where they meet the sequential test set out in the NPPF and will not individually or cumulatively undermine the viability of the town centre.</p>
DM 11	TOURING AND PERMANENT HOLIDAY SITES	<p>(NOTE – For the purposes of this policy the term 'holiday accommodation' is used to describe caravan based accommodation, including touring and permanent sites/units, as well as permanent buildings constructed for the purpose of letting etc.)</p> <p><b>Location requirements</b></p> <p>Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:</p> <ul style="list-style-type: none"> <li>• the proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;</li> <li>• the proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and</li> <li>• the site can be safely accessed;</li> <li>• it is in accordance with national policies on flood risk;</li> <li>• the site is not within the Coastal Hazard Zone</li> </ul>

		<p>indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping;</p> <p>Small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.</p> <p><b>Conditions to be applied to new holiday accommodation</b></p> <p>Where development is permitted in the open countryside for new holiday accommodation, it is essential that such uses are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim, occupancy conditions will be placed on future planning permissions requiring that:</p> <ul style="list-style-type: none"> <li>• the accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;</li> <li>• the accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and</li> <li>• the owners / operators shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.</li> </ul>
DM 12	STRATEGIC ROAD NETWORK	<p>The Strategic Road Network within the Borough, comprising the A10, A17, A47, A134, A148, A149, A1101 &amp; A1122 and shown on the Policies Map, will be protected as follows outside of the settlements specified within Core Strategy policy CS02:</p> <ul style="list-style-type: none"> <li>• new development, apart from specific plan allocations, will not be permitted if it would include the provision of vehicle access leading directly onto a road forming part of this Strategic Road Network;</li> <li>• new development served by a side road which connects to a road forming part of the Strategic</li> </ul>

		<p>Road Network will be permitted provided that any resulting increase in traffic would not have a significant adverse effect on:</p> <ul style="list-style-type: none"> <li>• the route's national and strategic role as a road for long distance traffic</li> <li>• highway safety</li> <li>• the route's traffic capacity</li> <li>• the amenity and access of any adjoining occupiers.</li> </ul> <p>In appropriate cases a Transport Assessment will be required to demonstrate that development proposals can be accommodated on the local road network, taking into account any infrastructure improvements proposed.</p> <p>Policy CS11 of the Adopted Core Strategy sets out the transport requirements for development proposals to demonstrate that they accord with. Paragraph 013 - Transport Assessments and Statements of the Planning Practice Guidance should also be considered.”</p>
DM 13	RAILWAY TRACKBEDS	<p>The following existing and former railway trackways and routes, as indicated on the Policies Map, will be safeguarded from development which would prejudice their potential future use for paths, cycleways, bridleways, new rail facilities, etc. unless the proposals for trackway use are accompanied by appropriate alternative route provision that makes the safeguarding unnecessary:</p> <ul style="list-style-type: none"> <li>• King's Lynn Harbour Junction - Saddlebow Road;</li> <li>• King's Lynn east curve;</li> <li>• King's Lynn docks branch to Alexandra Dock and Bentinck Dock;</li> <li>• Denver - Wissington;</li> <li>• King's Lynn to Hunstanton; and</li> <li>• part of the former King's Lynn to Fakenham line route from the West Winch Growth Area to the Bawsey/Leziate countryside sports and recreation area.</li> </ul> <p>The King's Lynn docks branch (as above) will, however, not be safeguarded to the extent this</p>

		compromises port operations within the Port Estate.
DM 14	DEVELOPMENT ASSOCIATED WITH THE NATIONAL CONSTRUCTION COLLEGE, BIRCHAM NEWTON AND RAF MARHAM	<p>The Council strongly supports the roles that the National Construction College, Bircham Newton and RAF Marham play as local employers and as centres of excellence for construction and advanced engineering respectively.</p> <p>The Council will adopt a positive approach to new development to improve these facilities.</p> <p>Non-operational 'enabling' development which supports the retention, enhancement or expansion of these facilities will be permitted where it can be demonstrated</p> <ul style="list-style-type: none"> <li>• that the development will enhance the facility's long term value to the Borough's economy and employment; and</li> <li>• there are robust mechanisms to ensure the improvements justifying the enabling development are delivered and sustained; and</li> <li>• the resulting development will not undermine the spatial strategy set out in Core Strategy Policy CS01; and</li> <li>• it will not result in the loss of land needed for operation of the facility, or reduce its reasonably foreseeable potential to expand or be reconfigured.</li> </ul>
DM 15	ENVIRONMENT, DESIGN AND AMENITY	<p>Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. 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:</p> <ul style="list-style-type: none"> <li>• heritage impact;</li> <li>• overlooking, overbearing, overshadowing;</li> <li>• noise;</li> <li>• odour;</li> <li>• air quality;</li> <li>• light pollution;</li> <li>• contamination;</li> <li>• water quality and</li> </ul>

		<ul style="list-style-type: none"> <li>• visual impact.</li> </ul> <p>The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.</p> <p>Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.</p> <p>Development proposals should demonstrate that safe access can be provided and adequate parking facilities are available.</p>
DM 16	PROVISION OF RECREATIONAL OPEN SPACES FOR RESIDENTIAL DEVELOPMENTS	<p>All new residential development will be expected to make adequate provision for open space to the following standards:</p> <p>Schemes of up to 19 units will ensure that their schemes contain sufficient space to ensure a high standard of layout and amenity to the residents of the proposed development and to ensure that the scheme integrates into the wider landscape setting. On windfall sites the requirement to provide open space will apply where the Council considers that the proposed development forms part of a larger site which, if developed, would result in a requirement for a proportion of (or contribution to) open space.</p> <p>Schemes of 20 units or greater will provide 2.4 hectares of open space per 1000 population comprising approximately:</p> <ul style="list-style-type: none"> <li>• 70% for either amenity, outdoor sport, and allotments (see below) and</li> <li>• 30% for suitably equipped children's play space</li> <li>• developments of 20 – 99 dwellings will be expected to meet the requirement for suitably equipped children's play space only;</li> <li>• developments of 100 dwellings and above will be expected to meet the whole requirement.</li> <li>• on sites allocated for residential development through the Local Plan process, and where development of the whole site results in a requirement for a proportion of (or contribution to) open space, the requirement to provide open space will apply to the whole of a single allocated site, even if it is developed incrementally (through sub-division etc).</li> </ul>

		<p>All proposals involving the provision of publicly accessible areas of open space must include robust arrangements for the management and future maintenance of that open space. The Council may take on and adopt areas of public open space within developments, subject to bringing the scheme up to an appropriate standard and the payment of an appropriate fee.</p> <p>The Council will adopt a flexible approach to the types of open space required within a particular scheme only where it can be demonstrated :</p> <ul style="list-style-type: none"> <li>i) that there is excess provision available in the locality, or</li> <li>ii) where opportunities exist to enhance existing local schemes, or</li> <li>iii) the townscape or other context of the development is such that the provision of open space is not desirable.</li> </ul> <p>The Council will provide full details on the provision and maintenance of open space within Supplementary Planning Guidance.</p> <p><b>Allotments</b></p> <p>The Council will seek to resist the loss of allotments in areas where there is a current or predicted demand for such facilities, unless the loss were to be offset by alternative provision of an equal or higher quality in the vicinity. The provision of new allotments may be sought in locations for large-scale residential development (such as the strategic allocations) where there is an identified need. This will be balanced against the need for other types of recreational space and facilities and the financial viability of any development.</p>
DM 17	PARKING PROVISION IN NEW DEVELOPMENT	<p><b>Residential dwellings</b></p> <p>New dwellings (including flats and maisonettes) will be required to include car parking to the following minimum standards:</p> <ul style="list-style-type: none"> <li>a. one bedroomed unit – 1 space per dwelling;</li> <li>b. two or three bedroomed unit – 2 spaces per dwelling;</li> <li>c. four or more bedroomed unit – 3 spaces per dwelling.</li> </ul>



		<p>This provision may include under-croft parking and car ports providing these have no other use, but garages under 7m x 3m (internal dimensions) will not be counted.</p> <p>Reductions in car parking requirements may be considered for town centres, and for other urban locations where it can be shown that the location and the availability of a range of sustainable transport links is likely to lead to a reduction in car ownership and hence need for car parking provision.</p> <p>Each dwelling will also be required to provide a minimum of one secure and covered cycle space per dwelling.</p> <p><b>Other developments</b></p> <p>For developments other than dwellings car parking provision will be negotiated having regard to the current standards published by Norfolk County Council.</p>
DM 18	COASTAL FLOOD RISK HAZARD ZONE (HUNSTANTON TO DERSINGHAM)	<p>This policy applies within the Coastal Flood Risk Hazard Zone as defined on the Policies Map.</p> <p><b>New Developments</b></p> <p>The following developments will not be permitted within Tidal Flood Zone 3 (including climate change) as designated on the Strategic Flood Risk Assessment (SFRA) Maps:</p> <ul style="list-style-type: none"> <li>• new dwellings;</li> <li>• new or additional park homes/caravans.</li> </ul> <p><b>Replacement Dwellings</b></p> <p>Replacement dwellings will only be permitted in Tidal Flood Zone 3 where all of the following seven criteria are satisfied:</p> <ul style="list-style-type: none"> <li>• a Flood Risk Assessment (FRA) must be undertaken for the development;</li> <li>• all habitable accommodation will be provided above ground floor level (habitable accommodation would usually include bedrooms, sitting rooms, dining rooms, kitchens and any other room designed for habitation. Rooms that are not normally used for living in, such as toilets, storerooms, pantries, cellars and garages, are not considered to be habitable);</li> </ul>

		<ul style="list-style-type: none"> <li>• the dwelling will only be occupied between 1st April and 30th September in any one year;</li> <li>• the dwelling will incorporate flood mitigation and resiliency measures in accordance with the Department for Communities and Local Government publication: “Improving the flood performance of new buildings, flood resilient construction” (2007);</li> <li>• the building must be appropriately designed to withstand and be resilient to hydrostatic pressure resulting from a breach/overtopping of the tidal defences;</li> <li>• a flood warning and evacuation plan will be prepared for the property and retained on site;</li> <li>• the level of habitable accommodation provided by the new dwelling would not be materially greater than that provided by the original dwelling. Proposals should not result in an increase in the number of bedrooms over and above the number in the original dwelling.</li> </ul> <p><b>Extensions</b></p> <p>Extensions to existing properties (beyond any Permitted Development Rights that could be exercised) should not materially increase the amount of habitable rooms. Significant extensions or those that raise the amount of habitable rooms in the property could lead to an increase in the number of people at risk and will not be permitted.</p> <p><b>Change of Use</b></p> <p>Any proposed Change of Use will not be permitted if, as a result of the change, the flood risk vulnerability (as defined in the National Planning Practice Guidance) would be increased.</p> <p><b>Seasonal Occupancy</b></p> <p>Seasonal occupancy will be limited to between 1 April and 30 September. Applications to remove, relax or vary (by way of extension) any existing seasonal occupancy condition will be resisted.</p>
DM 19	GREEN INFRASTRUCTURE / HABITATS MONITORING AND MITIGATION	<p>Opportunities will be taken to link to wider networks, working with partners both within and beyond the Borough.</p> <p>The Council supports delivery of the projects detailed in the Green Infrastructure Study including:</p>

		<ul style="list-style-type: none"> <li>• the Fens Waterway Link- Ouse to Nene;</li> <li>• the King's Lynn Wash/Norfolk Coast Path Link;</li> <li>• Gaywood Living Landscape Project;</li> <li>• the former railway route between King's Lynn and Hunstanton; and</li> <li>• Wissey Living Landscape Project.</li> </ul> <p>The Council will identify, and coordinate strategic delivery, with relevant stakeholders, of an appropriate range of proportionate green infrastructure enhancements to support new housing and other development and mitigate any potential adverse effects on designated sites of nature conservation interest as a result of increased recreational disturbance arising from new development. All new development must ensure there is no adverse effect on a European Protected Site through the provision of appropriate measures. These enhancements will be set out in a Green Infrastructure Delivery Plan.</p> <p>Major development will contribute to the delivery of green infrastructure, except:</p> <ul style="list-style-type: none"> <li>• where it can be demonstrated the development will not materially add to the demand or need for green infrastructure.</li> </ul> <p>Where such a contribution would make the development unviable, the development will not be permitted unless:</p> <ul style="list-style-type: none"> <li>• it helps deliver the Core Strategy; and</li> <li>• the relevant contribution to that Strategy could not be achieved by alternative development, including in alternative locations or in the same location at a later time; or</li> <li>• unless the wider benefits of the proposed development would offset the need to deliver green infrastructure enhancements.</li> </ul> <p>More detailed local solutions based on the Green Infrastructure Strategy will be developed for Downham Market and Hunstanton, particularly in relation to the main growth areas and King's Lynn and surrounding settlements.</p> <p>In relation to Habitats Regulations Assessment</p>
--	--	---

		<p>monitoring and mitigation the Council has endorsed a Monitoring and Mitigation Strategy including:</p> <ul style="list-style-type: none"> <li>• project level HRA to establish affected areas (SPA, SAC, RAMSAR) and a suite of measures including all / some of:</li> <li>• provision of an agreed package of habitat protection measures, to monitor recreational pressure resulting from the new allocations and, if necessary, mitigate adverse impacts before they reach a significant threshold, in order to avoid an adverse effect on the European sites identified in the HRA. This package of measures will require specialist design and assessment, but is anticipated to include provision of: <ul style="list-style-type: none"> <li>i. A monitoring programme, which will incorporate new and recommended further actions from the Norfolk visitor pressure study (anticipated to be completed in Spring 2016) as well as undertaking any other monitoring not covered by the County-wide study.</li> <li>ii. Enhanced informal recreational provision on (or in close proximity to) the allocated site [Sustainable Accessible Natural Greenspace], to limit the likelihood of additional recreational pressure (particularly in relation to exercising dogs) on nearby relevant nature conservation sites. This provision will be likely to consist of an integrated combination of: <ol style="list-style-type: none"> <li>1. informal open space (over and above the Council's normal standards for play space);</li> <li>2. landscaping, including landscape planting and maintenance;</li> <li>3. a network of attractive pedestrian routes, and car access to these, which provide a variety of terrain, routes and links to the wider public footpath network.</li> </ol> <ul style="list-style-type: none"> <li>iii. contribution to enhanced management of nearby designated nature conservation sites and/or alternative green space;</li> <li>iv. a programme of publicity to raise awareness of relevant environmental sensitivities and of alternative recreational opportunities.</li> </ul> </li> </ul> </li> </ul>
--	--	---

		<p>Notwithstanding the above suite of measures the Borough Council will levy an interim Habitat Mitigation Payment of £50 per house to cover monitoring/small scale mitigation at the European sites. The amount payable will be reviewed following the results of the 'Visitor Surveys at European Sites across Norfolk during 2015 and 2016'.</p> <ul style="list-style-type: none"> <li>• the Borough Council anticipates utilising CIL receipts (should a CIL charge be ultimately adopted) for contributing to green infrastructure provision across the plan area.</li> <li>• forming a HRA Monitoring and Mitigation and GI Coordination Panel to oversee monitoring, provision of new green infrastructure through a Green Infrastructure Delivery Plan and the distribution of levy funding.</li> </ul>
DM 20	RENEWABLE ENERGY	<p>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:</p> <ul style="list-style-type: none"> <li>• 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;</li> <li>• the surrounding landscape and townscape;</li> <li>• designated and un-designated heritage assets, including the setting of assets;</li> <li>• ecological interests (species and habitats);</li> <li>• amenity (in terms of noise, overbearing relationship, air quality and light pollution);</li> <li>• contaminated land;</li> <li>• water courses (in terms of pollution);</li> <li>• 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</li> <li>• tourism and other economic activity.</li> </ul>

		<p>In addition to the consideration of the above factors, the Borough Council will seek to resist proposals where:</p> <ul style="list-style-type: none"> <li>a) there is a significant loss of agricultural land;</li> <li>or</li> <li>b) where land in the best and most versatile grades of agricultural land are proposed to be used.</li> </ul> <p>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.</p>
DM 21	SITES IN AREAS OF FLOOD RISK	<p>Where the Borough Council has allocated sites in flood risk Zones 2 and 3 or flood defence breach Hazard Zones identified by the Council's Strategic Flood Risk Assessment or more recent Environment Agency mapping:</p> <ol style="list-style-type: none"> <li>1. these will be subject to (and no relevant planning permission will be granted before): <ul style="list-style-type: none"> <li>• a site specific flood risk assessment satisfactorily demonstrating the development will be safe for its lifetime, taking climate change into account, and with regard to the vulnerability of its users, without increasing flood risk elsewhere and, where possible, reducing flood risk overall; and</li> <li>• satisfactory demonstration that any design or development features necessary to address flood risk issues are compatible with heritage assets in the vicinity (including conservation areas and listed buildings), local visual amenity and (where relevant) the landscape and scenic beauty of the Norfolk Coast Area of Outstanding Natural Beauty.</li> </ul> </li> <li>2. the sequential test set out in the National Planning Policy Framework (NPPF) policy 101 is deemed to be met by the allocation process, as set out in the Planning Practice Guidance - Flood Risk and Climate Change, so that development is, as far as reasonably possible, located where the risk of flooding (from all sources) is lowest.</li> </ol> <p>2. in relation to the exceptions test set out in the</p>

		<p>NPPF policy 102:</p> <ul style="list-style-type: none"> <li>• the first part (demonstration of wider sustainability benefits) is deemed to be met by the allocation process; and</li> <li>• the second part (site specific flood risk assessment, etc.) is not deemed to be met by the allocation process, and shall remain the responsibility of the prospective developer. No relevant planning permission shall be granted unless and until this second part of the test is met, as set out in section 1 of this policy, above</li> <li>• for further information, reference is made to Appendix 3 and Appendix 4</li> </ul> <p>The Borough Council will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists adequate and appropriate consideration has been given to mitigating the risk. Mitigation measures should minimise the risk of flooding on the development site and within the surrounding area.</p> <p>4. the design of new dwellings will be in accordance with the Environment Agency/Borough Council Flood Risk Design Guidance (Appendix 5) The Borough Council will take into account advice from the Lead Local Flood Authority and the King's Lynn and West Norfolk Settlements Surface Water Management Plan to ensure that where a serious and exceptional risk of surface water flooding exists adequate and appropriate consideration has been given to mitigating the risk. Mitigation measures should minimise the risk of flooding on the development site and within the surrounding area.</p>
DM 22	PROTECTION OF LOCAL OPEN SPACE	<p>The Council will have careful regard to the value of any area of open space when assessing planning applications for development. In assessing the contribution that an area of open space plays, the Council will consider the following factors:</p> <ul style="list-style-type: none"> <li>• public access;</li> <li>• visual amenity;</li> <li>• local distinctiveness;</li> <li>• landscape character;</li> </ul>

		<ul style="list-style-type: none"> <li>• recreational value;</li> <li>• biodiversity, geodiversity;</li> <li>• cultural value and historic character;</li> <li>• whether the site has been allocated for development in the local plan.</li> </ul> <p>Proposals that will result in the loss or restriction of access to locally important areas of open space will be refused planning permission unless such loss can be offset by the replacement of equivalent or higher standard of provision or the wider benefits of allowing development to proceed outweigh the value of the site as an area of open space.</p> <p>The Borough Council will support local communities in designating local green space for protection in neighbourhood plans where this:</p> <ul style="list-style-type: none"> <li>• meets the criteria for local green space as detailed in the National Planning Policy Framework; and</li> <li>• does not conflict with other policies in the Borough's Local Plan.</li> </ul>
--	--	---



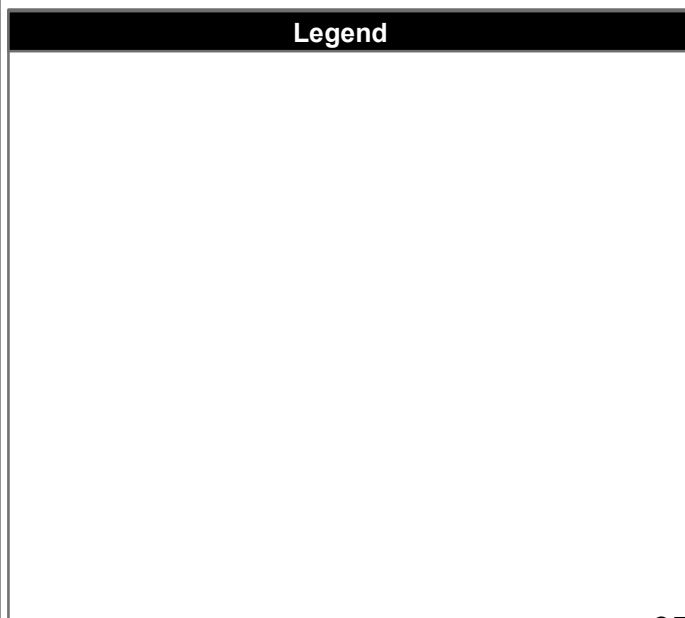
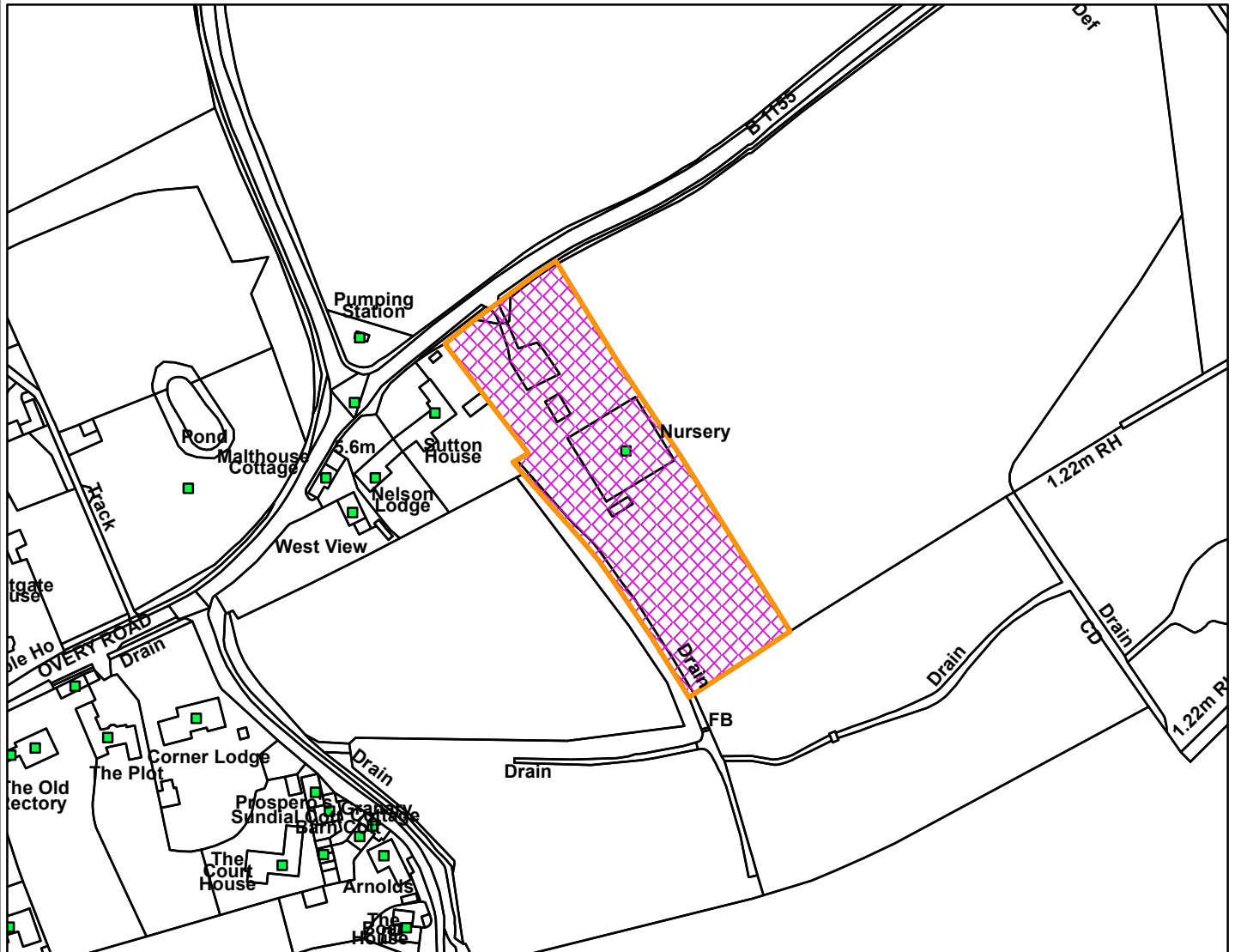
**INDEX OF APPLICATIONS TO BE DETERMINED  
BY THE PLANNING COMMITTEE AT THE MEETING  
TO BE HELD ON TUESDAY 8 APRIL 2024**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
<b>9/1 DEFERRED ITEMS</b>				
9/1(a)	<b>23/00103/F</b> Overy Road Nurseries Overy Road Burnham Market Kings Lynn PE31 8HH Application for 2no. dwellings and an agricultural barn, demolition and clearance of existing buildings and structures, and associated works.	<b>BURNHAM MARKET</b>	<b>REFUSE</b>	<b>35</b>
<b>9/2 OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE</b>				
9/2(a)	<b>24/00229/F</b> War Memorial Playing Field Lynn Road Downham Market PE38 9QE Proposed extension to main football stands and dugouts with new keyclamp fence.	<b>DOWNHAM MARKET</b>	<b>APPROVE</b>	<b>54</b>
9/2(b)	<b>23/01665/CU</b> St Johns Vicarage Blackfriars Road Kings Lynn PE30 1NT 24 hour homeless accommodation with ancillary support services.	<b>KINGS LYNN</b>	<b>APPROVE</b>	<b>66</b>
9/2(c)	<b>24/00301/O</b> 56 Wootton Road Gaywood PE30 4EX Outline application for up to 2No new dwellings	<b>KINGS LYNN</b>	<b>REFUSE</b>	<b>83</b>
9/2(d)	<b>23/01545/F</b> Waterfall Barn 49 Hovells Lane Northwold IP26 5LX Conversion and extension of barn to create a dwelling	<b>NORTHWOLD</b>	<b>REFUSE</b>	<b>92</b>
9/2(e)	<b>23/01819/F</b> Deer Park East of St Thomas Lane Snettisham PE31 6SR	<b>SNETTISHAM INGOLDISTHORPE</b>	<b>APPROVE</b>	<b>101</b>
9/2(f)	<b>23/02139/LB</b> Church of St Andrew Kirk Road Walpole St Andrew PE14 7LL Installation of a replacement floor	<b>WALPOLE</b>	<b>APPROVE</b>	<b>119</b>

<b>9/2(g)</b>	<b>23/00972/O</b> Main Roads/Chequers Lane West Winch Kings Lynn PE33 0NY Construction of 2 no 4 bedroom dwelling complete with 2 no double garages and associated works	<b>WEST WINCH</b>	<b>APPROVE</b>	<b>130</b>
<b>9/2(h)</b>	<b>23/02031/F</b> Deerfields Lynn Road Setchey Kings Lynn PE33 0BD Replacement of Carrstone Wall in connection with planning application 20/00303/FM	<b>WEST WINCH</b>	<b>APPROVE</b>	<b>147</b>



Overy Road Nurseries Overy Road Burnham Market Kings Lynn PE31 8HH



**Scale:** 1:2,500

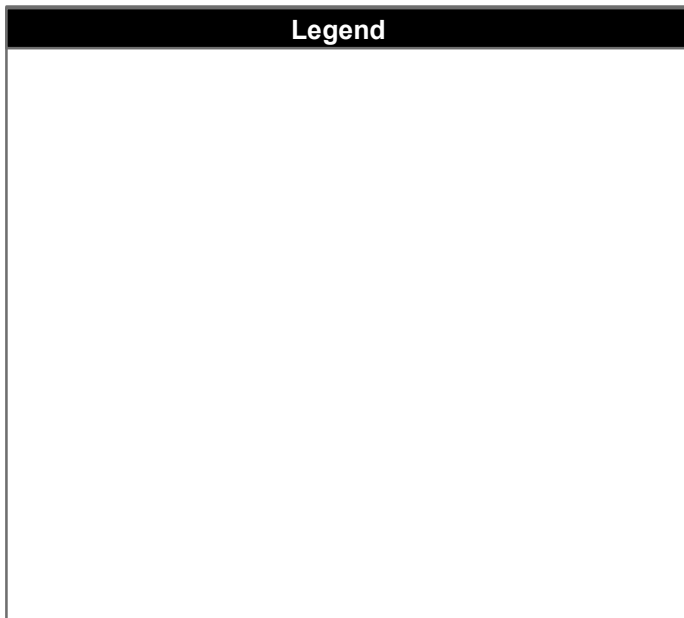
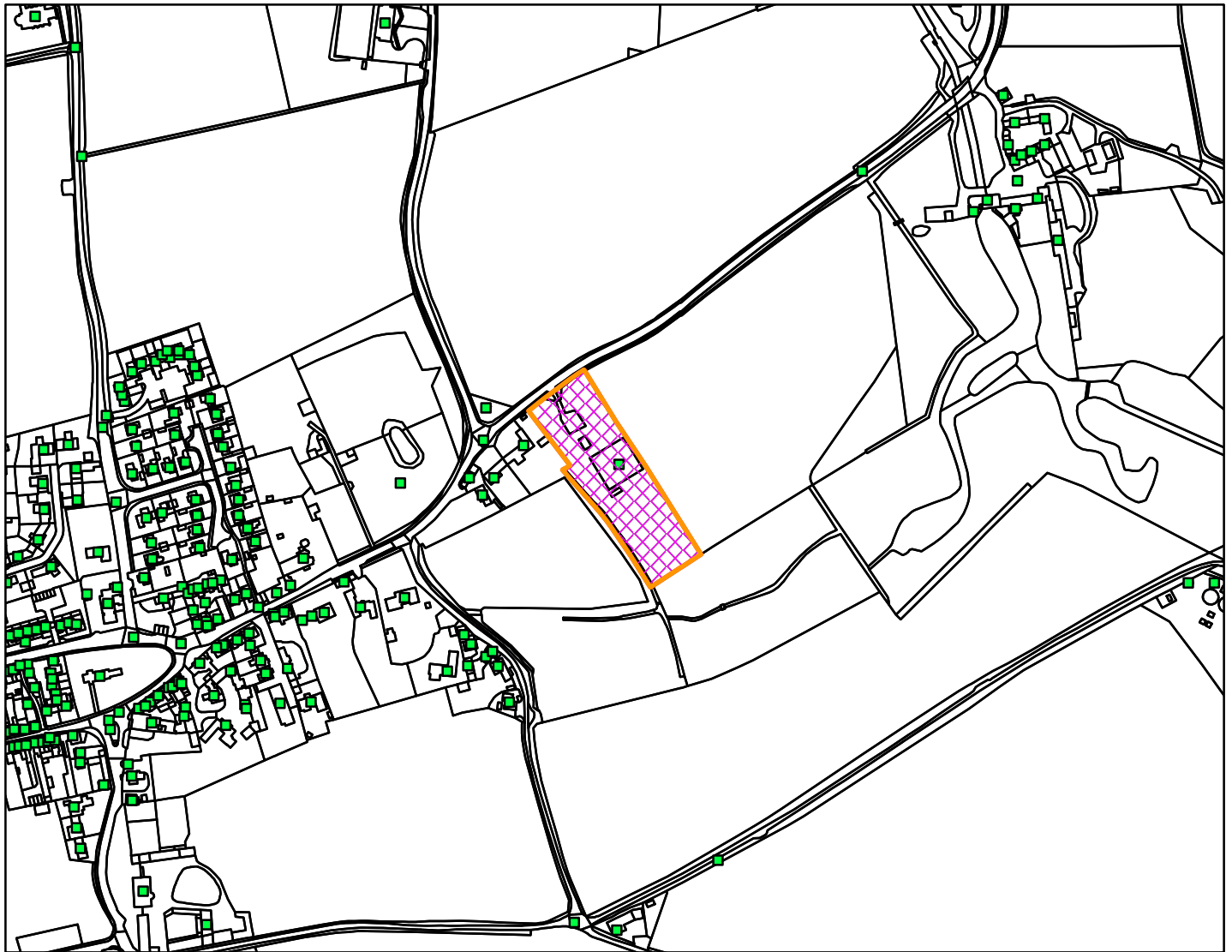
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



Overy Road Nurseries Overy Road Burnham Market Kings Lynn PE31 8HH



**Scale:** 1:5,000

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Burnham Market</b>	
<b>Proposal:</b>	<b>Application for 2no. dwellings and an agricultural barn, demolition and clearance of existing buildings and structures, and associated works.</b>	
<b>Location:</b>	<b>Overy Road Nurseries Overy Road Burnham Market King's Lynn PE31 8HH</b>	
<b>Applicant:</b>	<b>Mr And Mrs Smith</b>	
<b>Case No:</b>	<b>23/00103/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 10 April 2023 Extension of Time Expiry Date: 9 February 2024</b>

**Reason for Referral to Planning Committee** – Deferred from February committee

**Neighbourhood Plan:** Yes

### Members Update

This item was deferred at Planning Committee in February 2024 to allow clarification of the Historic Environment Service's comments and the potential adverse impacts on archaeology associated with the scheme. This report has been updated to outline that trial trenching has taken place on site, however the results have not yet been made available to the LPA or HES. Sufficient detail has however now been provided so as to allow pre-commencement conditions to be imposed.

Updated comments are in bold throughout this report.

### Case Summary

Full planning permission is sought for the construction of 2 dwellings and an agricultural barn at Overy Road Nurseries, Overy Road, Burnham Market. Existing greenhouses and structures to the rear of the site, associated with the site's previous use as a nursery would be demolished to enable the construction of the barn, with the proposed dwellings to the front of the site.

The site is immediately adjacent to the Burnham Market Conservation Area, 250m from the Burnham Overy Town Conservation Area and outside of the Burnham Market Development Boundary shown on Inset Map G17 of the SADMPP (2016). The land is therefore considered to be within the wider countryside for the purposes of planning policy.

The site is within the Norfolk Coast National Landscape and is within an area at risk of flooding in the 0.5% annual exceedance probability event including climate change (Future Flood Zone 3).

**Key Issues**

Principle of Development  
Design and Impact on the Conservation Area  
Archaeology  
Impact on Neighbours  
Highway Safety  
Flood Risk  
Other material considerations

**Recommendation****REFUSE****THE APPLICATION**

Full planning permission is sought for the construction of 2 dwellings and an agricultural barn at Overy Road Nurseries, Overy Road, Burnham Market. Existing greenhouses and structures to the rear of the site, associated with the site's previous use as a nursery would be demolished to enable the construction of the barn, with the proposed dwellings to the front of the site.

The site is immediately adjacent to the Burnham Market Conservation Area, 250m from the Burnham Overy Town Conservation Area and outside of the Burnham Market Development Boundary shown on Inset Map G17 of the SADMPP (2016). The land is therefore considered to be within the wider countryside for the purposes of planning policy.

The site is within the Norfolk Coast National Landscape and is within an area at risk of flooding in the 0.5% annual exceedance probability event including climate change (Future Flood Zone 3).

The application site encompasses approximately 0.82 hectares of land currently occupied by a number of disused agricultural buildings and a former garage. The west and east boundaries are formed primarily of mature hedging and trees, and the north boundary adjoining Mill Road is only thinly hedged and largely open, allowing views of the raised site from the highway.

The dwellings proposed as part of this application are two storey detached properties with attached garages. Each property has three bedrooms and both units are of similar design, although plot one is orientated to have its front elevation facing west, which results in minor changes to fenestration compared to plot 2, which fronts Mill Road.

The dwellings are modern in proportion and window detailing and proportions further detail the dwellings as modern/contemporary units. The properties are proposed with two elevations of flint with brick quoins and more basic facing brickwork to the remaining elevations.

Whilst an agricultural barn is proposed as part of this application, the dwellings are not proposed to be tied to or occupied in connection with any existing agricultural business.

The agricultural barn is proposed to be sited to the rear of the dwellings behind an existing hedgerow, shown to be removed and replaced with planting as part of this proposal. The building is proposed as a relatively low pitch utilitarian character building, to be clad in

natural timber with a corrugated metal roof. This element of the proposal will be largely screened from view by existing and proposed landscaping and will accord with the rural character of fields in the wider vicinity.

The agricultural barn will be used in conjunction with the existing and ongoing farming business operated by the Applicant. The need to locate the barn to the rear, and within view of the dwellings, reflects concerns of security and a desire to protect significant pieces of equipment.

## **SUPPORTING CASE**

I write in respect of the abovementioned planning application which is to be considered by Members at planning committee on 5th February 2024. I understand it is to be recommended for refusal. I write on behalf of the applicant's Mr and Mrs Smith. At the time of writing, I do not know the detail of the reasons for refusal, but I understand the broad topics to be heritage and lack of supporting archaeological trial trenching.

### **Heritage**

There is clearly a difference of opinions between the Council's Principal Conservation Officer and the Heritage Consultant (who prepared the Heritage Impact Statement). The Conservation Officer considers that the proposal will have 'a moderate level of less than substantial harm...of the conservation areas'; and the Heritage Consultant considers that there will be 'no harmful effects to the special interest of the conservation areas'. The comments and report are available to view and will be summarised in the officer's report, so I will not regurgitate both arguments here. However, I will note that heritage impact is a subjective topic and should be considered as part of a balanced planning decision, albeit that they all agree on the benefits in removal of the visual detractors in the AONB.

### **Archaeology**

There are two letters on file from the Historic Environment Service (HES), one dated 30th November 2023 and the other dated 7th December 2023. The initial response proposes a planning condition to secure a post determination programme of archaeological mitigatory work, starting with informative trial trenching. The later letter proposes that the lack of information submitted in respect of archaeological works be added as a reason for refusal. Other than the passage of time it is not clear what has changed in the 7 day period between the two letters. It is our view that this should not constitute a reason for refusal and the 'no development/demolition' condition proposed by the HES in their letter of 30th November is all that is required to secure appropriate archaeological works. The applicants are willing to undertake this work, but understandably they would want the security of having a planning permission before doing so given the cost.

### **Conclusion**

Ultimately the acceptance or otherwise of the proposed dwellings comes down to the benefits that the scheme can provide when balanced against the potential impacts. Local people struggle to be able to afford homes in Burnham Market and with significant growth in second homes there are few opportunities for renting long term. The proposal is for two self-build properties and an agricultural barn which the applicant's children will live in and the applicants will use respectively, as part of their farm. As made clear in the applicant's supporting statement their families have a long history of living in area dating as far back as the 1740's. These dwellings and the barn will provide much needed affordable accommodation for their family to continue to live and work in the area for years to come. The proposal will tidy up the site and there will be no detrimental landscape impacts. It is my view that the benefits outweigh any perceived heritage impacts, and that the development is

appropriate for the site. It should be noted that the Parish Council supports this application, as does a local Member. Further to this all the letters of representation support the application, of which there are a significant number for a scheme of this size'

## **PLANNING HISTORY**

09/02016/O: Application Refused: 29/01/10 - Outline application for agricultural dwelling, retail unit and associated new entrance and car park - Overy Road Nurseries – Delegated Decision

09/00978/O: Application Withdrawn: 19/08/09 - Proposed agricultural dwelling, retail unit and associated new entrance and car park - Overy Road Nurseries– Delegated Decision

04/00967/F: Application Permitted: 06/07/04 - Construction of retail unit - Overy Nurseries – Delegated Decision

2/03/1180/F: Application Permitted: 28/07/03 - Erection of replacement wooden store/workshop - The Nursery Overy Road – Delegated Decision

## **RESPONSE TO CONSULTATION**

**Parish Council: SUPPORT, subject to condition** with the following comments:

'The Parish Council wishes to support local families to find local homes in order to contribute to a thriving community. However, the Parish Council also has a duty to heed the concerns of the Conservation Officer, particularly with regard to urban creep and inappropriate design in a sensitive rural environment. The Burnham Market Neighbourhood plan sets out in some detail, via the Design Codes, how a new dwelling should be designed, in order to hopefully enhance but certainly not to harm the character of the village. The Parish Council would ask that if the Planning Committee decides to approve this application, that a condition be applied to prevent the properties being sold to a third party who has no local connection to the village; this would be in addition to the Principal Residence Policy, applied by default, which forms part of the NP. In this way, it is hoped, these dwellings will always be available for local people and as such contribute in a positive way to the local community.'

**Highways Authority: NO OBJECTION** subject to standard access/turning area conditions.

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** recommended condition for unexpected contamination and asbestos informative.

**Environment Agency: NO OBJECTION, however drawing attention to Future Flood Risk issues** as follows:

'We have reviewed the documents as submitted and can confirm we remove our objection to this planning application.

Our maps show the site boundary lies within tidal Flood Zone 2 defined by the 'Planning Practice Guidance: Flood Risk and Coastal Change' as having a medium probability of flooding. The proposal is for the construction of two new residential dwellings and an agricultural barn which is classified as a 'more vulnerable' development, as defined in Annex 3:Flood Vulnerability Classification of the National Planning Policy Framework (NPPF).

23/00103/F

Planning Committee  
8<sup>th</sup> April 2024



We are satisfied that the flood risk assessment, referenced 0344/FRADS and dated October 2023, provides you with the information necessary to make an informed decision.

In particular:

\*All proposed built development has been sequentially sited within Flood Zone 1. However, although the development is sited within present-day Flood Zone 1, the entire site lies within future Flood Zone 3 and is at risk of flooding in the 0.5% annual exceedance probability event including climate change.

\*Finished ground floor levels for the 2 residential dwellings have been proposed at 6.75mAOD. This is below the 'design' flood level of 6.80 mAOD and therefore the development is at risk of flooding internally to a depth of 0.05m in this event.

We are not objecting to this application as the development has been sequentially sited within Flood Zone 1, however you should strongly consider the future flood risk to the development when making your decision.'

**Conservation Officer: OBJECTION** The Conservation Team provided in-depth comments in regard to the position of the development and its design. For ease, these comments are discussed in depth within the report.

**Historic Environment Service:**

**'I made a site visit today to inspect the archaeological trial trenching which were taking place.**

**Based on what I saw today (28th February 2024) I am minded that no further archaeological work will be required pre-determination.**

**Some further archaeological work will be required, this can take place post-consent, secured through conditions.**

**I will need to have sight of a report on the trenching before deciding on the exact nature of the post-consent archaeological work.**

**This won't affect advice regarding condition wording. It is normal for us to sort out the exact nature and extent of post-consent archaeological work at WSI stage.'**

## REPRESENTATIONS

**EIGHTY ONE** Letters of **SUPPORT** (across three rounds of consultation), summarised as follows:

- Proposal does not diminish gap between settlements
- Increased set back of houses improves views of Sutton House
- Tidying the site will improve overall view
- Loss of existing greenhouses and surrounding structures is a planning gain
- Modest self-build homes will allow young people to stay in the area
- Small scale proposal is in-keeping with location
- Demands and expectations from the Conservation Officers and Environment Agency are unreasonable
- Site has been in the family for generations and the applicants remain local
- Small horticultural use unlikely to be viable going forwards
- will not lead to light pollution
- traffic from the site will be manageable
- request for control on occupation and ownership to those who live and work in the area

23/00103/F

Planning Committee  
8<sup>th</sup> April 2024

- Houses would appear as part of the Sutton House complex

**ONE** Letter of **OBJECTION**, raising highway safety concerns due to proximity to a blind corner.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS12** - Environmental Assets

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy 15** - Burnham Market CA

**Policy 3** - 2nd Homes and Furn Hol Lets

**Policy 6** - Design

**Policy 8** - Biodiversity and Green Corrido

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations are:

Principle of Development

Design and Impact on the Conservation Area

Archaeology

Impact on Neighbours

Highway Safety

Flood Risk

Other material considerations

23/00103/F

Planning Committee  
8<sup>th</sup> April 2024

### **Principle of Development:**

Two new dwellings and an agricultural storage barn are proposed on land previously used for agricultural purposes in association with a nursery. Existing redundant greenhouses are to the rear of the site alongside other smaller derelict buildings. There is no evidence submitted with the application demonstrating that the land is used in connection with an agricultural or horticultural enterprise.

The construction of a barn for agricultural purposes would be in line with economic development policies at both a local and national level.

In regards to the residential element of the proposal, Burnham Market is categorised as a Key Rural Service Centre in Policy CS02 of the Core Strategy (2011). As a result, the settlement benefits from a Development Boundary to guide development to the most suitable locations.

This application site is outside of the development boundary which ends around 215m to the west of the site adjacent to houses known as The Old Rectory and Eastgate House and therefore within the wider countryside for the purposes of planning policy.

The starting point for consideration of a planning application is the development plan, and planning legislation dictates that planning decisions should be made in accordance with the development plan unless material considerations clearly dictate otherwise. The Borough Council's Core Strategy (2011) and Site Allocations and Development Management Policies Plan (2016) set out a strong presumption against new residential development in the countryside.

Countryside protection policies apply in line with Policies CS02 and CS06 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).

Within their planning statement, the Agent acknowledges the site's position outside of the development boundary and in a location which is at odds with the Development Plan however sets out the following in an attempt to overcome this concern: self-build provision, the re-use of brownfield land, and the tidying of the site. No case is made regarding the provision of dwellings in connection with an agricultural/horticultural enterprise.

### *Self-Build*

The Agent states the houses will be self-build units that will go towards the Borough Council's current supply. It is acknowledged that current forecasts indicate a limited shortfall in supply of self-build permissions and further, it is accepted that the 2023 Levelling Up and Regeneration Act (LURA) changes the legal obligations for the Borough Council in relation to the supply and monitoring of sites for Custom and Self-Build Housing. LURA places additional obligations upon the Borough Council, to permit sufficient housing land explicitly for the purposes of delivering SB&C housing **however the Council must consider its statutory obligations as a whole, with reference to LURA but also to other material considerations such as the legal duty to preserve and enhance Conservation Areas under the Planning (Listed Buildings and Conservation Areas) Act 1990, Section 72, as amended and the great weight given to conserving and enhancing National Landscapes in accordance with NPPF para 182.**

**The Agent has not, at the time of this update, put forward any proposed control to ensure that these dwellings come forward as self-building housing. If Members were to give weight to the benefits of self-build and custom housing, this would need to be controlled through the s106, alongside other controls on Principal Residences etc.**

Furthermore, the NPPF explains in footnote 29, that the Self Build and Custom Housebuilding Act 2015, (as amended recently by the LURA), places a legal duty “to give enough **suitable** development permissions to meet the identified demand”. The requirement that permissions need to be suitable means that the need to grant planning permission to meet demand for SB&C housing plots does not eliminate the need to consider the suitability of the site in other respects – for example, the need to outweigh the harm to heritage assets for which there is a duty to preserve and enhance, as required by both the LBCA and NPPF (section 16) and great weight should be given to conserving and enhancing National Landscapes in accordance with NPPF para 182. .

For the reasons outlined throughout this report, the custom and self-build nature of the dwellings proposed attracts minimal weight and does not outweigh the harm caused by this proposal or the primacy of the Development Plan.

#### *Re-use of Brownfield Land*

Evidence submitted during the course of this application shows a small part of the site was historically used for vehicle storage including scrap vehicles and for MOTs. A small building (approx. 68m<sup>2</sup> and less than 1% of the total site area) immediately north of the greenhouses is the only remaining evidence of this use being on site, with the other buildings removed following storm damage in the 1990s/early 2000s. There is no obvious curtilage around the MOT building and it is clear that the site as a whole has naturalised to an extent **that it would not be considered previously developed land for the purposes of the NPPF (2023).**

Also of note is that the houses proposed under this application do not overlap with the footprint of the MOT building. As a whole, the proposed houses therefore cannot be considered to constitute the repurposing or reuse of previously developed land.

Notwithstanding the fact that this cannot be considered the redevelopment of previously developed land, the NPPF at paragraph 124 sets out that planning decisions should give substantial weight to the value of using suitable brownfield land within settlements for homes. As per the discussion above, the wording of the policy dictates that the land must be suitable in other respects, as well as being within a settlement. The site complies with neither part of this policy and as a result, no weight is attached to the assertion that the land is previously developed.

#### *Tidying of the Land*

The Agent further sets out that the removal of the existing structures will have a positive benefit on the landscape stating that this should provide some benefit to outweigh the material policy contradictions above.

Whilst the Conservation Team have noted there is some benefit from the removal of these structures, greenhouses and agricultural buildings are a typical sight in the countryside and the visual appearance of the structures is not so significantly harmful to the landscape as to justify the construction of housing in this position. **There is no premium on neglect** – the

buildings could just be demolished or maintained/repaired. No weight is attached to the argument that the site will be tidied up as a result of this proposal.

### *Conclusion on the Principle of Development*

Paragraph 83 of the NPPF sets out clearly that, to promote sustainable development in rural areas, housing should be located where it will enhance or maintain the vitality of rural communities. The additional justification provided by the Agent does not adequately or appropriately justify the provision of two additional dwellings outside of the development boundary and in an area which is not supported by the Local Plan. Further, the Land is not isolated and paragraph 84 of the NPPF (2023) does not apply.

Whilst there are houses immediately adjacent to the application site, the character of this part of Burnham Market is increasingly rural and there exists a striking divide between the edge of main built extent of Burnham Market and this application site which is further pronounced as a result of the verdant character of street frontages and the wider expanses of agricultural land and paddock land which divide the site from the settlement itself. The existence of a footpath link from the site to the main built extent of the settlement does not render the application site a suitable place to build additional dwellings.

For reasons outlined above, the principle of development on site is at odds with the NPPF (2023), Policies CS01, CS02 and CS06 of the Core Strategy (2011), Policies DM1 and DM2 of the SADMPP (2016). The justification provided as part of this application does not outweigh or overcome the policy provisions discussed above in regard to providing for the sustainable development of new housing in appropriate locations.

### **Design and Impact on the Conservation Area and National Landscape:**

The application site is immediately outside of the Burnham Market Conservation Area and in proximity to the edge of the Burnham Overy Town Conservation Area which is separated from this site by one field (approx. 250m east). This places the site in a position where development could lead to impacts on the setting of either (or both) conservation areas whilst also impacting on the existing rural gap between the settlements. The small gap between the two distinct villages is important to the sense of identity to each village and the erosion of this gap, in particular through development of a residential nature and an inappropriate form, would be detrimental to the character and significance of each village.

Whilst the Burnham Market Neighbourhood Plan (NP) sets out various design parameters for each character area, the site outside of any classification and in the wider countryside. The Neighbourhood Plan does not set out specific requirements for the design or character of development outside the four character areas, however it is clear that the design of dwellings should comply with the overarching design and conservation area policies throughout the development plan as a whole.

Policy 6 of the NP relates to design and requires the use of the Design Codes and Checklist as part of consideration of planning applications.

The checklist includes consideration of maintaining or enhancing identified views, impacts on landscape quality, impacts on tranquillity of the area, respecting the existing gaps between settlements, consideration of building layouts, heights and rooflines, materials and surfacing, architectural details etc.

The site is immediately adjacent to Burnham Market Conservation Area and also adjacent to important unlisted buildings within it (Sutton House). Page 7 of the Conservation Area Character Statement makes it clear that Overy Road 'is the main eastern approach from Wells across the Burn Valley' and 'Sutton House forms the centrepiece of the first isolated group of traditional buildings' on entrance to the village. It is clear that Sutton House is the gateway to Burnham Market from the east and its traditional proportions and chimneys are visible on approach from Burnham Overy Town and contribute to the character of the edge of the Conservation Area.

Paragraph 013 of the Historic Environment PPG is clear that the impact upon setting can come from an understanding of the historic relationship between places and it is not dependent on there being a public viewpoint. The site is an important piece of land which forms a rural gateway to the village whilst also forming part of the rural gap between Burnham Market and the nearby settlement Burnham Overy Town.

The space between the two villages has historically been of an agricultural character primarily of agricultural uses. The nursery buildings and its associated buildings erected in the 1970s are only a relatively short lived use of the site that involved only limited overall impact. The main greenhouse buildings were set back behind the established conifer hedge and those which protruded forward of that point were smaller and more utilitarian in their use and appearance.

The front of the site is currently unoccupied and the lack of built form preserves the open character of this edge of settlement location whilst also maintaining Sutton House's position as the key gateway into the village. The building of two dwellings on open land would impact on the open setting of the Conservation Area as well as the significance of the two important unlisted buildings. This would create a creep effect of the village into the countryside and past the historic boundaries and therefore adversely impact on the setting and significance of the adjacent heritage assets.

Notwithstanding the in principle objections to the siting of dwellings in this location, considerable discussion into the design of the dwellings took place during the course of the application however no significant amendments were submitted to overcome the concerns raised. A Heritage Impact Assessment was provided in an attempt to overcome the concerns however does not outweigh or otherwise overcome the issues at hand.

The design of a proposal is expected to be sympathetic to local character and history, including the surrounding built environment and its landscaping setting as required by Paragraph 135 of the NPPF (2023).

Notwithstanding the above discussion of the layout and position of the dwellings and the provision of dwellings on this site in principle, **the design of the dwellings is estate like and mass produced and fails to show a regard to the traditional scale and proportions found elsewhere in the village, in particular within vicinity of the proposed site. The starting point of good design should begin within an assessment of the site's surroundings and local vernacular, it is a shame this has not taken place in this instance, and no changes were made following discussions throughout the course of this application.**

Windows in traditional buildings tend to be sash or smaller casement windows and the proposed dwellings are at odds with this, resulting in a basic more contemporary feel which when combined with the use of flint in this part of the village is not considered appropriate.

Policy 15 of the NP sets out that the setting of the Conservation Area should be protected from development that adversely affects views into and out of the area and further defines how the mix of building types and their arrangement should be considered. The policy specifies that particular regard should be given to the effect of proposals on the significance of important unlisted buildings, include the dwellings immediately west of the site.

Whilst the Conservation Team consider there will be some benefit to the Conservation Area from the removal of the existing nursery buildings on site, **there is no premium on neglect** – the buildings could just be demolished, maintained or repaired. Whilst the removal of the disused greenhouse and subsequent tidying of the Land would have some minor conservation and national landscape gain through restoration of the site, it does not justify the creation of two dwellings outside of the development boundary.

The proposed large, detached dwellings would result in a skewed hierarchy of dwellings which puts large, detached dwellings in an edge of village location where historically this has not been present. This will lead to harm to both the Conservation Area and the character of the countryside. The inappropriate design and use of materials will lead to further harm to the street scene and the Conservation Area. The associated impacts would also lead to a degree of harm to the National Landscape (previously AONB) through the expansion of dwellings beyond the existing settlement limits and loss of a verdant gap. The NPPF (para 182) requires that great weight should be given to conserving and enhancing the landscape and beauty in National Landscapes which have the highest status of protection in relation to these issues.

The agricultural building is sited behind an existing hedgerow and would not impact on the setting or significance of the Conservation Area. The provision of an agricultural barn in such a position would be considered to comply with the relevant policies discussed above.

The proposal would result in a moderate level of less than substantial harm to the setting and significance of the Burnham Market and Burnham Overy Town Conservation Areas and fails to comply with the design parameters set out within the Neighbourhood Plan. The creep of built form of an unsatisfactory design into the countryside and the erosion of historic boundaries of the village and the associated harm to the Conservation Area would not be outweighed by any wider public benefit of the proposal. The proposal would also not conserve or enhance the National Landscape, to which great weight is given to its protection. The application is therefore at odds with Paragraphs 182 and 208 of the NPPF (2023), the Burnham Market Neighbourhood Plan Policies 6 and 15 and Policies CS08 and CS12 and DM15 of the Local Plan.

## **Archaeology**

The development proposal affects a site of considerable archaeological potential. The proposed new dwellings lie within an area where numerous finds of pottery and metal work of Middle Anglo-Saxon date have been recovered along with considerable quantities of artefacts of Roman, Early and Late Anglo-Saxon date. All of this amounts to considerable evidence of settlement and possibly craft production and trading activities.

The desirability of preserving archaeological remains, whether scheduled or unscheduled is a material planning consideration and developers and local authorities should take into account archaeological considerations from the beginning of the development control process.

Footnote 72 of the NPPF sets out that non-designated heritage assets of archaeological interest, which are demonstrably of equivalent significance to scheduled monuments, should

be considered subject to the policies for designated heritage assets. The Glossary defines Archaeological Interest as holding, on in this case potentially holding, evidence of past human activity worthy of expert investigation at some point.

**At the previous planning committee, Members discussed the use of conditions controlling submission of trial trenching results and assessments post-approval of the application. Further discussions have taken place with HES to clarify their views, and on 28th February 2024 some initial trial trenching works took place on site. The Historic Environment Service Officer visited the site on the day of the trenching, and has confirmed that, whilst the accompanying report has not yet been submitted, they are content that the remainder of these works are now capable of resolution through condition.**

**Subject to pre-commencement conditions controlling further trial trenching and archaeological works, the proposed development is considered to comply with Section 16 of the NPPF (2023) and with the aims of the Local Plan and Neighbourhood Plan in regard to protecting buried archaeological assets, in particular Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).**

### **Impact on Neighbours**

As a result of the positioning of the houses in relation to neighbours, the proposal would not lead to any significant impact on the amenity of adjoining properties.

The agricultural barn is proposed for storage purposes only and could be suitably conditioned to prevent adverse impacts in regards to noise and disturbance on nearby residential uses.

The impact on neighbours and residential amenity is therefore considered acceptable and complies with the NPPF, Policy CS08 of the Core Strategy (2011), and Policy DM15 of the SADMPP (2016).

### **Highway Safety:**

Access to the site is proposed via improvements to the existing centralised access to Overy Road/Mill Road, with parking and turning area proposed to meet the relevant requirements. The proposed development of 2 dwellings with an associated agricultural barn would be an acceptable reuse, subject an ongoing synergy between the residential and agricultural uses, the resurfacing of the access to cater for the agricultural vehicles stored within the site, along with adequate parking and turning within the site.

Conditions have been recommended by the LHA to ensure the highway safety implications are acceptable for the lifetime of the development.

The application complies with the paragraphs 114 and 116 of the NPPF, Policies CS08, CS10 and DM15 of the Local Plan and Policy 7 of the Burnham Market Neighbourhood Plan in regard to highway safety and access.

### **Flood Risk:**

The key area for concern within the submitted Flood Risk Assessment is Fluvial Flooding.

The site is mainly located within Flood Zone 1 however the southwest corner of the site is within current Flood Zone 2 as defined by the PPG Flood Risk and Coastal Change as



having a medium probability of flooding. The proposal is for the construction of two new dwellings and an agricultural barn which as a whole is considered more vulnerable development as per Annex 3 of the NPPF.

Whilst all proposed build development is sited in current Flood Zone 1, the entire site lies within Future Flood Zone 3 and the site is at risk of flooding in the 0.5% annual exceedance probability event including climate change.

Finished ground floor levels for the 2 residential dwellings have been proposed at 6.75mAOD. This is below the design' flood level of 6.80 mAOD noted by the EA within their response and therefore the development is at risk of flooding internally to a depth of 0.05m in this event. The FRA goes on to state various flood resilience measures which could alleviate some damage caused in the event of floodwater entering the property which could be controlled via condition.

**It is common ground that the application site is located in future flood zone 3 – this has been calculated within the extents shown mapped on Borough Council's Strategic Flood Risk Assessment (SFRA, 2018), and simply refers to the flood zone when climate change modelling is taken into account. The Applicant's flood risk assessment clearly sets out what this means for the site in the future and currently, and it is not disputed that the site is in an area at risk of flooding.**

The NPPF and PPG set out that all sources of flooding should be considered as part of a planning application, this includes increased flood risk in the future.

Whilst the EA do not object due to the current FRA indicating the development is within Flood Zone 1, **it is the LPA's responsibility to consider future flood risk (flood risk taking into account climate change) whilst making the decision.**

Paragraph 168 of the NPPF sets out that the sequential approach should be used in areas known to be at risk now or in the future from any form of flooding.

The access to the application site and the north portion of the site is within the Tidal 0.1% Annual Exceedance Probability, and the parts of the proposed dwellings are within Tidal 0.5% Annual Exceedance Probability.

The Environment Agency confirm that they consider the application site to be at risk of flooding in the future (Future Flood Zone 3). This is a material consideration when considering the suitability of the land for housing and the Sequential Test must be applied.

The vast majority of Burnham Market is not at risk of flooding in the future and opportunity therefore exists for dwellings to be constructed at a lower risk of flooding.

**The application therefore fails the sequential test and the proposal is at odds with Paragraph 165 and 168 of the NPPF (2023) and Policy CS08 of the Core Strategy (2011) in regards to flood risk. As the development fails the sequential test, there is no requirement for the LPA to consider the exceptions test as per Paragraph 169 of the NPPF (2023).**

**Other material considerations:**

**Specific comments and issues:**

Principal Residences - Burnham Market Neighbourhood Plan Policy 3 includes a Principal Residence requirement. Were this application to be approved a S106 and Planning Condition would be required to control compliance with this policy.

**In regards to discussion on controlling the houses to be occupied by local people or the individual family. It is not possible to control the occupation of the dwellings in this way. As discussed above, Principal Residency could be controlled via a S106 agreement if Members consider the development acceptable.**

Contamination - The information submitted to support this application does not indicate the presence of significant land contamination. However, the former use as a workshop means that it's possible that some unexpected contamination could be present. An unexpected contamination condition could be applied were this application to be approved in order to comply with the NPPF and Policy CS12. An asbestos informative is also recommended due to the age of the existing buildings on site.

Trees – Various trees and hedgerows are existing on site. In light of the lack of detailed landscaping and replacement planting schemes, conditions could be used to ensure suitably replacement planting details come forward before any existing trees are removed from site. This complies with the aims of the Neighbourhood Plan in regards to loss of trees.

### **Response to Parish Council**

The Parish Council requested that if Planning Committee were to approve this application, conditions are used to ensure that the dwellings are retained in the ownership/occupation of those with a local connection to the village. There is no policy requirement for such a control to be put in place and therefore, the proposed dwellings cannot be controlled or restricted in terms of their ownership by local people. The dwellings would be typical market dwellings with the standard principal residency policy applied, **but no further control can take place as to the occupant's family links to the wider community.**

### **Response to Neighbour Support Letters**

The majority of issues raised within neighbour representations are discussed in depth within the report. In response to comments on the provision of self-build housing for a local family which will allow family members to remain in the community, whilst these comments are noted, this is not a material planning consideration which has weight in a planning decision. The self-build element of the proposal is discussed in depth above. If Members attach weight to the self-build element, a S106 agreement would be required to ensure that the development meets the self-build requirements.

Comments on the requests for additional information from the Environment Agency and discussion with the Conservation Team are also noted. There is a requirement for a Flood Risk Assessment to be provided where a proposal is at risk of flooding. This applies to all sites for this type of development. The request for amendments and a Heritage Impact Assessment were to overcome specific concerns raised by the Conservation Team to allow full consideration of this proposal. Neither of these requests are considered unreasonable given the nature of this application and the lack of information originally submitted.

### **Biodiversity and Ecology**

A preliminary ecological appraisal was submitted to support this application and sets out various construction and management controls to prevent adverse impacts on habitats,

birds, reptiles etc. A reptile mitigation strategy can be specifically conditioned to control impacts during construction.

The Neighbourhood Plan, which has been finalised during the course of this application, sets out measures for 10% Biodiversity Net Gain however no clear indication has been provided during the course of this application to specify how this can be achieved.

Significant greenspace is being retained at the southern portion of the site (approx. 0.5ha) which could be utilised to demonstrate the required 10% biodiversity net gain if this application were to be approved. This land is proposed to be retained as non-domestic land and therefore allows flexibility for various biodiversity improvements to be made to the current agricultural land.

#### *GIRAMs*

The Green Infrastructure and Recreational Avoidance Mitigation Strategy Fee was paid on submission of this application to prevent adverse impacts on the Zone of Influence outlined as part of the study. The application site is within the ZOI for The North Norfolk Coast and The Wash SAC/SPA/RAMSARs, however an appropriate assessment has taken place in line with the approach agreed with Natural England, and it is considered that planning permission can be granted as adverse effects can be ruled out.

#### **CONCLUSION:**

The NPPF reiterates the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that applications for planning permission must be determined in accordance with the development plan unless strong material considerations indicate otherwise.

The material considerations advanced by the agent, namely the benefits of self-build housing, the use of previously developed land and the tidying of the site, **do not in your officers opinion provide strong material planning considerations** which would outweigh the overall conflicts with the spatial strategy and development plan in regards to the position of housing and sustainable development.

The application includes the construction of two dwellings on land which is outside of the development boundary and no sufficient justification has been provided to outweigh the conflicts with the development plan, in particular Policy DM2 of the SADMPP (2016). The site is not in a suitable position and the construction of additional houses in this location is considered likely to adversely consolidate the built form to the detriment of the countryside, form and character and lead to the partial loss of an existing gap between the settlements of Burnham Market and Burnham Overy Town.

The proposed design of the dwellings would also result in a moderate level of less than substantial harm to the setting and significance of the Burnham Market and Burnham Overy Town Conservation Areas and fails to comply with the design parameters set out within the Neighbourhood Plan. The creep of built form of an unsatisfactory design into the countryside and the erosion of historic boundaries of the village and the associated harm to the Conservation Area would not be outweighed by any wider public benefit of the proposal. The proposal would also not conserve or enhance the National Landscape, to which great weight is attached to its protection. The application is therefore at odds with Paragraphs 182 and 208 of the NPPF (2023), the Burnham Market Neighbourhood Plan and Policies CS12 and DM15 of the Local Plan.

**Sufficient information is now available to confirm that pre-commencement conditions are a suitable means of controlling archaeological implications of the scheme in accordance with Section 16 of the NPPF (2023) and Policies CS12 and DM15 of the Local Plan.**

The EA consider the site to be within Future Flood Zone 3 and the access to the application site, the north portion of the site is within the Tidal 0.1% Annual Exceedance Probability including Climate Change flood risk area, and parts of the proposed dwellings are within Tidal 0.5% Annual Exceedance Probability including climate change and the proposed more vulnerable use is therefore at risk of flooding. Notwithstanding the fact that the above considerations confirm the development is not necessary (as per Paragraph 165), as land is available within Burnham Market which is not at an identified risk of flooding now or in the future, the application fails the sequential test and approval would be at odds with Paragraph 168.

Whilst the application would result in the removal of disused and redundant greenhouses which are currently visible on approach towards the site, there is no premium on neglect and the minor gain resulting from the removal of the structures would not outweigh the conflicts with the policies discussed throughout this report.

The application proposes inappropriate development in the countryside which is at odds with the overarching aims of the NPPF (2023), Policies CS01, CS02, CS06, CS08 and CS12 of the Core Strategy (2011), Policies DM1, DM2 and DM15 of the Site Allocations and Development Management Policies Plan (2016) and Policies 6 and 15 of the Burnham Market Neighbourhood Plan and is recommended for refusal on the following grounds.

## **RECOMMENDATION:**

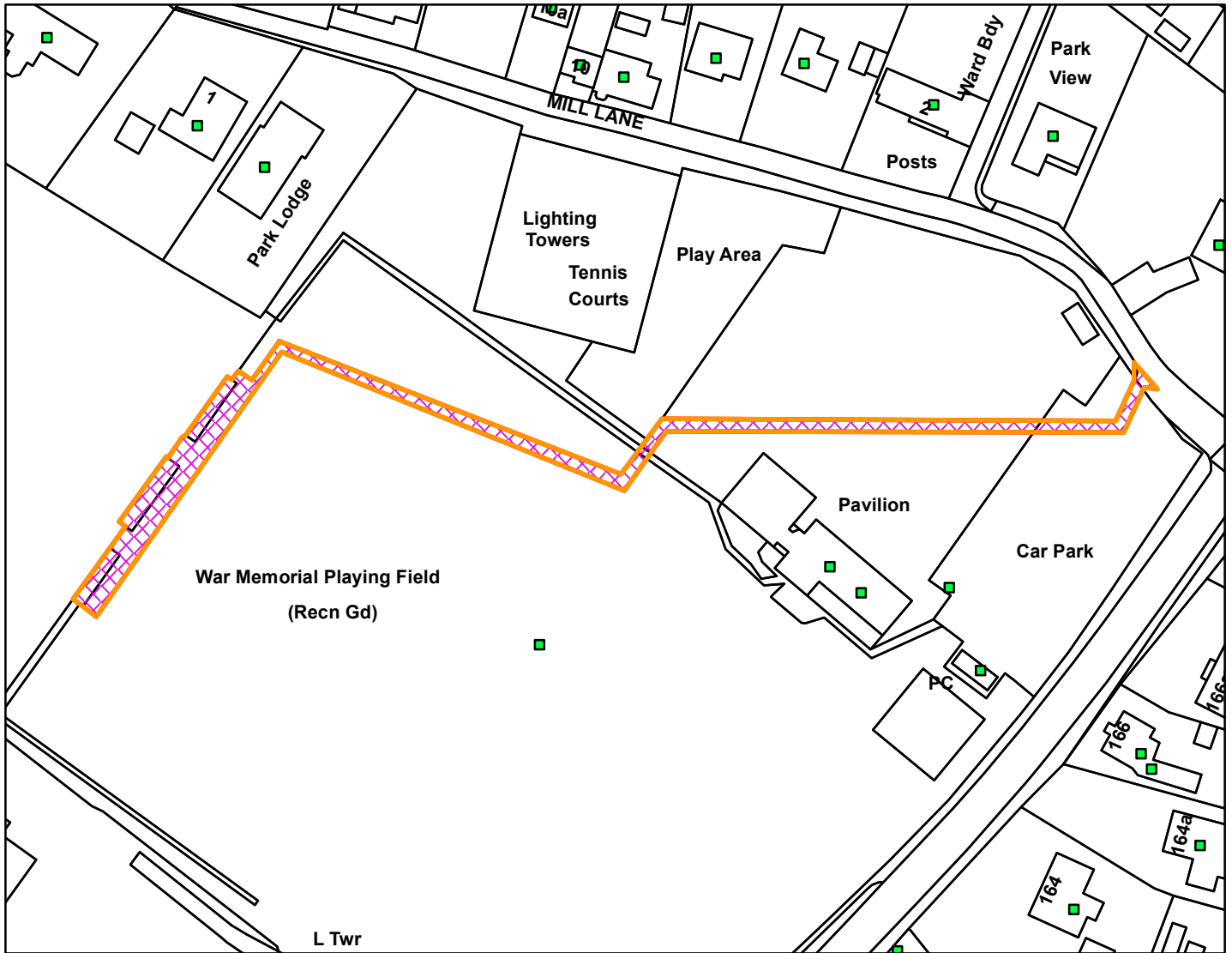
**REFUSE** for the following reason(s):

- 1 Residential development in the countryside is strictly controlled by the Local Plan in order to provide for sustainable development in line with the aims of the NPPF (2023). The application includes the construction of two dwellings on land which is outside of the development boundary and no strong material planning reasons have been advanced to outweigh the conflicts with the development plan, in particular Policy DM2 of the SADMPP (2016). The site is not considered to be in a suitable position for housing and the principle of development is therefore at odds with the requirements of the NPPF (2023), Policies CS01, CS02 and CS06 of the Core Strategy (2011) and Policy DM2 of the SADMPP (2016).
- 2 By reason of poor design which fails to take into account local character and history, the proposal would result in a moderate level of less than substantial harm to the setting and significance of the Burnham Market and Burnham Overy Town Conservation Areas and fails to comply with the design parameters set out within the Burnham Market Neighbourhood Plan. The creep of built form of an unsatisfactory design into the countryside and the erosion of historic boundaries of the village and the associated harm to the Conservation Area would not be outweighed by any wider public benefit of the proposal. The proposal would also not conserve or enhance the National Landscape, to which great weight is given to its protection. The application is therefore at odds with Paragraph 208 of the NPPF (2023) and Policies 6 and 15 of the Burnham Market Neighbourhood Plan Policies 6 and 15 and Policies CS08, CS12 and DM15 of the Local Plan.

- 3 The application site boundary is within Future Flood Zone 3, the north portion of the site is within the Tidal 0.1% Annual Exceedance Probability including Climate Change flood risk area, and parts of the proposed dwellings are within Tidal 0.5% Annual Exceedance Probability including climate change and the proposed more vulnerable use is therefore at risk of flooding. As land is available within Burnham Market which is not at an identified risk of flooding now or in the future, the application fails the sequential test and approval would be at odds with Paragraph 168 of the NPPF (2023) and Policy CS08 of the Core Strategy (2011).



War Memorial Playing Field Lynn Road Downham Market PE38 9QE



Legend	

Scale: 1:1,250

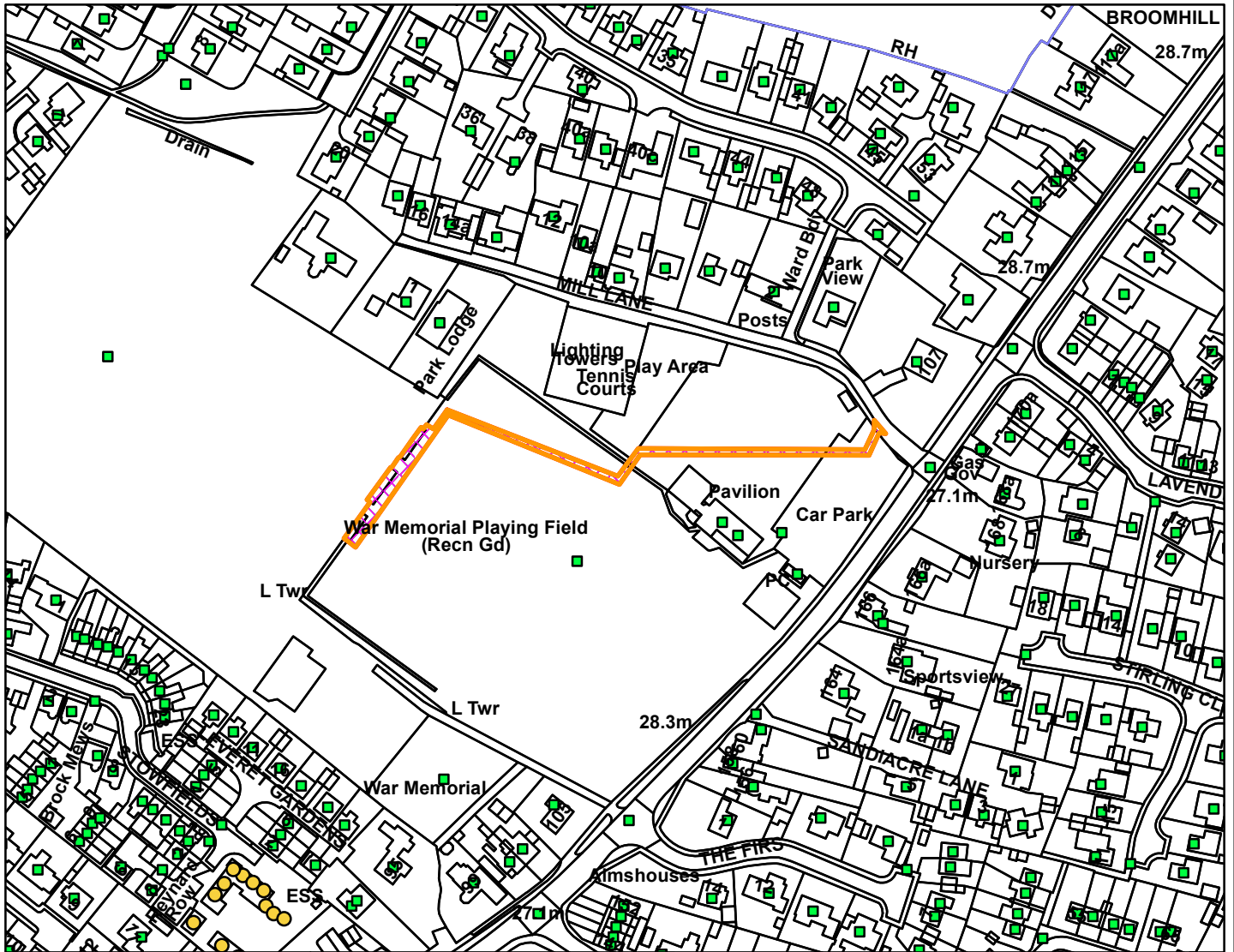
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



War Memorial Playing Field Lynn Road Downham Market PE38 9QE



**Legend**

[Empty legend box]

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Downham Market</b>	
<b>Proposal:</b>	<b>Proposed extension to main football stands and dugouts with new keyclamp fence.</b>	
<b>Location:</b>	<b>War Memorial Playing Field Lynn Road Downham Market Norfolk PE38 9QE</b>	
<b>Applicant:</b>	<b>Downham Town FC</b>	
<b>Case No:</b>	<b>24/00229/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr K Wilkinson</b>	<b>Date for Determination: 22 April 2024</b>

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

**Neighbourhood Plan:** No

**Case Summary**

The site is located almost centrally on the War Memorial Playing Fields on the north-western side of Lynn Road, Downham Market approx. 850m to the north of the town centre. There are residential properties to the north on Mill Lane, playing fields to the rear/west and front/east and a Memorial Garden to the south with further residential properties on Stowfields beyond.

This application seeks full permission for extensions to the existing spectator main stand and 2 no. team dugouts that exist on the north-western side of the football pitch. The works involve extending the mono-pitched roofs on all three structures to create increased covered seating for spectators and players respectively.

The existing front brick wall of the main stand is to be removed to accommodate two additional rows of seating and contained by a new ‘keyclamp’ barrier (tubular metal framework) with banner advertisements.

The changes are sought to meet Football Association standards relative to the league in which Downham Town FC are currently playing.

**Key Issues**

- Principle of development
- Design and appearance
- Impact on Neighbour Amenity
- Other matters requiring consideration prior to the determination of this application

**Recommendation**

**APPROVE**



## **THE APPLICATION**

The site is located almost centrally on the War Memorial Playing Fields on the north-western side of Lynn Road, Downham Market approx. 850m to the north of the town centre. There are residential properties to the north on Mill Lane, playing fields to the rear/west and front/east and a Memorial Garden to the south with further residential properties on Stowfields beyond.

This application seeks full permission for extensions to the existing spectator main stand and 2 no. team dugouts that exist on the north-western side of the football pitch. The works involve extending the mono-pitched roofs on all three structures to create increased covered seating for spectators and players respectively.

The main stand involves the projection of the existing mono-pitched roof forward by 1.8m and using new anthracite grey standing seamed profiled sheet metal cladding increasing the overall height above ground level by approx. 25cm; two rows of seats added in front of those existing on the stand, bounded by a new 'keyclamp' barrier set approx. 1.6m in front of the current concrete base. The plans indicate that an additional 50 spectators could be accommodated. The existing brick wall is to be removed due to health and safety concerns (player collisions).

Two dugouts exist for the home and away sides respectively. They are situated either side of the main stand and are simple buildings constructed from sheet metal and Perspex panels. These are to be extended at the sides by a further panel, 0.64m forwards towards the pitch and roof extended accordingly (approx. 10cm) to create a further row of covered seating for players/staff.

The changes are sought to meet Football Association standards relative to the league in which Downham Town FC are currently playing (i.e., Thurlow Nunn League Premier Division).

## **SUPPORTING CASE**

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

"Downham Town Football Club has been in existence since 1881 and we currently have facilities at the memorial playing fields where we have 3 pitches of varying sizes set out to meet the different requirements of different age groups.

The club is run as a not-for-profit organisation with all excess funds reinvested back into the club either to buy new equipment or to improve the facilities and last year we invested around £12,000 in portable floodlights, new goals and upgrades to the facilities, all of which is done by the club as we cannot access grants due to the position with the lease for the memorial ground.

The club runs age groups starting with 5-year-olds and takes it right through to adults with the assumption that we can find a route from childhood to adulthood for people who want to continue to play football; in total we have around 230 members of the club. Already for next season we are looking at up to 4 additional teams and creating the pathway from youth football into adult football and then into veterans' football; the work the club does within the community is invaluable as we provide opportunities for all.

We envisage a time in the next 5-10 years as Downham Market continues to grow where we will have 25-30 teams in total and over 400 members, but all of this will only be possible with investment into the current facilities as well as additional facilities such as 3G pitches which the Town is sadly lacking.

The First team is the pinnacle of the club and plays at step 5 of the football pyramid, having gained promotion last year from step 6, this meant for the first time in the club's history we were allowed to play in the FA cup, we also participate in the FA Vase but to be able to continue to play in these competitions and maintain our status at step 5, we need to meet set criteria laid out by the FA for ground standards; part of these standards is that the ground must have seating for 100 people as well as covered terrace for 100.

At present we can comply with the 100 standing covered area but our stand only has 50 seats, the planning application is to allow the club to meet this standard as failure to meet the standard will result in the 1st team not being allowed to use this ground for its home matches, which will mean that the club may fold as it cannot afford to pay another club to hire facilities.

The club is extremely well supported by the local community and by local businesses as the club has developed and progressed, so has the links between the businesses in Downham Market that sponsor the club. SCL are the main sponsors and also one of the major employers in the town. Plus: Evolution, Fraser Dawbarns Solicitors, Charmed Interiors, Morris Armitage, Downham Tandoori, Moore Interiors, Smiles Dental, SL Buildings Services, Vets One Group, Prosperity Wealth, Paradise Garage, SN Wright, Travis Perkins and Barker Bros."

## **PLANNING HISTORY**

2/99/0877/F: Application Permitted: 07/09/99 - Construction of covered stands for football ground – (Committee decision).

## **RESPONSE TO CONSULTATION**

**Town Council: OBJECT** – The Council believes that approval would result in:

- Overshadowing / loss of outlook for residents.
- Highways issues through an increase in spectator numbers and therefore traffic generation. Council believes that there are issues with vehicular access off Mill Lane and this will cause highway safety issues with traffic backing up onto Lynn Road.
- Noise disturbance from increased crowds which would affect the residents on Mill Lane.
- A negative impact on physical infrastructure as there are known drainage on the site and this application could lead to increase the issues. It is not clear from the application if measures are to be taken to combat the problem.
- Adverse impact on biodiversity.
- A negative impact on the area due to the visual appearance. Council believes that any building, if approved, should be green / grey to be in keeping with the land around. Council do not support the proposed red colour.
- It is noted that there are no measurements on the plans submitted and no information on how increased footfall would be managed.

**Local Highway Authority (NCC): NO OBJECTION** - Having examined the submitted information we are of the view that the public highway would not be significantly impacted as a direct result of the scale of improvement proposed and therefore we would not seek to restrict the grant of permission.

**Projects and Property: COMMENTS** - It has become apparent that there is strong local feeling about this proposal (both positive and negative) and the Borough Council as landowner has yet to make a decision on whether, or not, to permit this development to take place on its property (under Section 123 of the Local Government Act 1972). The Council will continue the dialogue with the various interested parties.

**Environmental Health & Housing – CSNN: NO OBJECTION** – no objections or conditions relating to this development as it will not cause an adverse impact.

**Environmental Health & Housing – Environmental Quality: NO OBJECTION** – subject to informative note relating to potential for asbestos-containing materials.

**Norfolk Constabulary ALO: NO OBJECTION** – advice offered relating to pursuit of Secured by Design accreditation.

## REPRESENTATIONS

**ONE NEUTRAL** item of correspondence raising the following summarised concerns:

- Queries regarding plans/proposal.
- Confirmation of commencement and length of works.
- Seeks confirmation on use of existing gate by stand / Park Lodge back on Match days / outside Match days; plans for existing fence to Park Lodge; plans for septic tank by Park Lodge.
- Will stands be protected from public access outside of Match days? Previous stands have been a 'teenage refuge' in the summer.
- It would make sense to build a secure area / container for the goals and football pitch equipment used on the other pitches on the memorial field (these back on to Park Lodge) which are used more than the main 1st team pitch. Also, an area for spectators and teams to keep out of the rain!
- The old stands were difficult to walk through to get to 2nd stand or get behind goal furthest from tennis courts. Does new stand allow a wider walking path through the stands? Is this wide enough for a wheelchair to go through to behind far goals?

At the time of writing, **FIFTY-ONE** items of correspondence received **SUPPORTING** the proposals on the following summarised grounds:

- The success of the football club is bringing many travelling fans to the town, who would not otherwise have visited - it's great to see the atmosphere there on a Matchday.
- This builds the town's reputation as well as bringing additional tourism and income.
- As the team progresses through the league system, there are requirements that must be met. This solution appears to be a simple, cost-effective change that will improve the general amenity for all who use the memorial playing field and provide additional facilities for the growing club.
- Support for all ages of players/teams.
- Concerns raised over Town Council's objection to the proposal - the Borough councillor read a statement in favour of the application at a different stage of the meeting but this was ignored and the councillor was not called for questions.

24/00229/F

Planning Committee  
8<sup>th</sup> April 2024

- Over time, if Downham are promoted, then car parking may be an issue (although only max. 25 days a year). However there is no current problem in Mill Lane or with general access to the Memorial Playing fields despite statements by councillors to the contrary.
- An objection to the stands being 'red' seemed superfluous as the stands are already red. And red is the Downham Town colour!
- Fears that the pitch 'would grow' and take land from cricket ground seem illogical as the pitch remains the pitch. Also the football team waits for the cricket season to end before playing any home matches.
- Dog walkers already walk over the pitch when Downham are not playing.
- Food vans are not a problem or in the way or take parking spaces when outside clubhouse (cf. parking taken by food van in town).
- The stands do not appear a different size from previous stands.
- At the start, the same number of cars and spectators will occur each home game as the size of the seating does not affect the support for such a club (this is not an all-seater stadium!).
- Recommend that the Town Council hold a meeting with the architects and football club to resolve questions which can be easily answered and would remove some of the doubts and misunderstandings from the Town Council.

## **LDF CORE STRATEGY POLICIES**

**CS04** - Downham Market

**CS08** - Sustainable Development

**CS11** – Transport

**CS13** - Community and Culture

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

The main considerations in determining this application are as follows:

- Principle of development
- Design and appearance
- Impact on Neighbour Amenity
- Any other matters requiring consideration prior to determination of the application

### **Principle of development:**

As stated above, the application site lies within the defined area of the town.

Policy CS04 of the Core Strategy applies which states inter alia:

*“Downham Market: The role of Downham Market will continue as a main town providing and supporting employment and essential services for the southern part of the borough...  
...Seek to respect and enhance the built, historic and natural environment in the town...  
...In addition opportunities will be investigated to develop a leisure and tourism attraction...”*

Policy CS08 also applies which states inter alia:

*“Sustainable Development: All new development in the borough should be of high quality design. New development will be required to demonstrate its ability to:  
...enrich the attraction of the borough as an exceptional place to live, work and visit...  
...respond to the context and character....”*

Policy CS13 also applies which states inter alia:

*“Community and Culture: Promoting healthy and active lifestyles is a priority. To ensure that people have the opportunity to exercise and improve their health the Borough Council will:*

- support proposals that protect, retain or enhance sports, leisure and recreation facilities including children’s playgrounds or create new facilities in accessible locations where an existing need can be justified and without compromising the environmental quality of the area...”*

Policy DM2 of the SADMPP applies and states:

*“Development Boundaries: Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan...”*

The proposal accords with Policies CS04, CS08, CS13 and Policy DM2 of the Development Plan and the principle of the development is therefore acceptable.

### **Design and appearance:**

With regards to design and appearance Policy CS08 above plus Policy DM15 of the SADMPP apply, the latter of which states inter alia:

*“Policy DM15 - Environment, Design and Amenity:  
Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. 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...”*

*The scale, height, massing, materials and layout of a development should respond sensitively and sympathetically to the local setting and pattern of adjacent streets including spaces between buildings through high quality design and use of materials.*

*Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused...*"

As stated above, the proposed works are as follows:

Main stand – projection of existing mono-pitched roof forward by 1.8m and using new anthracite grey standing seamed profiled sheet metal cladding increasing the overall height above ground level by approx. 25cm and framework painted red to correspond with the existing colour scheme/club livery; two rows of seats added in front of those existing on the stand, bounded by a new 'keyclamp' barrier set approx. 1.6m in front of the current concrete base. The plans indicate that an additional 50 spectators could be accommodated. The existing brick wall is to be removed due to health and safety concerns (player collisions).

Dugouts – two dugouts exist for the home and away sides respectively. They are situated either side of the main stand and are simple buildings constructed from sheet metal and Perspex panels. These are to be extended at the sides by a further panel, 0.64m forwards towards the pitch and roof extended accordingly (approx. 10cm) to create a further row of covered seating for players/staff.

In visual impact terms the extensions to the buildings are relatively low-key when taken in the wider context of the use, and would not have a significant impact upon the immediate or peripheral views of the football ground and its playing field setting.

Contrary to the concerns raised by the Town Council, there would be no adverse overshadowing implications presented by these modifications to the existing structures upon adjoining properties.

The proposal therefore accords with Policies CS08 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2015).

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

The proposal involves the extension of existing buildings which would create additional covered seating for supporters and players. The inter-relationships with existing neighbouring dwellings would not be materially affected given separation distances and orientation of the stand and dugouts. The nearest dwelling on Mill Lane (No.1A) lies approx. 50m away and has a mixture of fencing and mature landscaping on the common boundaries to the playing fields.

This conclusion is shared by CSNN colleagues who raise no objection to the proposals, and indeed the nearest neighbour has written in support of the application.

The proposed development therefore accords with Policy DM15 of the SADMPP.

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

The surface water is presently disposed of as run-off directly from the existing canopies. This will remain the case for the slightly extended rooflines.

There are no adverse effects upon trees in the vicinity as the proposed works are on the pitch side of the existing buildings away from the trees which lie to the rear of the stands. There are no known implications for ecology presented by these changes.

Environmental Quality indicate that there is a possibility of asbestos-containing material in the stand. This is however covered by separate legislation (Control of Asbestos Regulations 2012), so it is recommended that an informative note is to be attached to any permission.

There is an existing car park in the NE corner of the overall playing field site. The Local Highway Authority considers that the public highway would not be significantly impacted as a direct result of the scale of improvement proposed and they would not seek to restrict the grant of permission. The proposal accords with Policy CS11 of the Core Strategy and Policy DM17 of the SADMPP.

Crime and disorder: Norfolk Constabulary ALO has offered advice on Secure by Design accreditation however 'the development' under consideration is only the extensions to the structures. These lie within a public area and are indicated to be retained as such.

Town Council comments: Most of the concerns raised by the Town Council have been addressed in the main body of this report. The colour scheme proposed corresponds to the team's colours and is consistent with that of the existing stand/structure. The plans are not specifically dimensioned but are to a recognised scale from which measurements can be taken.

Third party comments:

- Third party comments received appear to have misinterpreted the plans, believing that the stands and dugouts are to be replaced not extended.
- The works are expected to be implemented as a matter of urgency to meet the deadline set by the FA.
- There are no alterations to gates or accessibility to the ground/buildings.
- The 'development' is clearly defined above and that is solely for consideration as part of this application/proposal.
- The stand/ground may need to meet Disability Discrimination Act (1995) requirements, but this is controlled by Building Regulations.

Public Sector Equality Duty: In making this decision the Authority must have regard to the public sector equality duty (PSED) under s.149 of the Equalities Act. This means that the Council must have due regard to the need (in discharging its functions) to:

A. Eliminate unlawful discrimination, harassment and victimisation and other conduct prohibited by the Act.

B. Advance equality of opportunity between people who share a protected characteristic and those who do not. This may include removing or minimising disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic; taking steps to meet the special needs of those with a protected characteristic; encouraging participation in public life (or other areas where they are underrepresented) of people with a protected characteristic(s).

C. Foster good relations between people who share a protected characteristic and those who do not including tackling prejudice and promoting understanding. The protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex and sexual orientation.

The PSED must be considered as a relevant factor in making this decision but does not impose a duty to achieve the outcomes in s.149. It is only one factor that needs to be considered and may be balanced against other relevant factors. It is not considered that the recommendation in this case will have a disproportionately adverse impact on a protected characteristic.

Human Rights: In making a decision, the Authority should be aware of and take into account any implications that may arise from the Human Rights Act 1998. Under the Act, it is unlawful for a public authority such as this Council to act in a manner that is incompatible with the European Convention on Human Rights. The Authority is referred specifically to Article 8 (right to respect for private and family life) and Article 1 of the First Protocol (protection of property).

It is not considered that the recommendation in this case interferes with local residents' right to respect for their private and family life, home and correspondence, except insofar as it is necessary to protect the rights and freedoms of others (in this case, the rights of the applicants). The Council is also permitted to control the use of property in accordance with the general public interest and the recommendation is considered to be a proportionate response to the submitted application based on the considerations set out in this report.

Planning Balance: Section 38 (6) of the Town and Country Planning Act, as amended by the 2004 Act, states that the determination must be made in accordance with the development plan unless material considerations indicate otherwise.

Land ownership: The comments of the Assistant Director of Property and Projects are noted however the appropriate Certificates with regards to ownership have been served in submitting this application. The ownership issue is not a material planning consideration in this instance and the leasing is covered by separate legislation (i.e., Section 123 of the Local Government Act 1972).

## **CONCLUSION**

The proposal seeks to improve the existing facilities at this sporting venue to comply with the Football Association standards by slightly extending the main stand and dugouts towards the pitch. This is considered to be a relatively minor physical change to the community facility, which is endorsed by Policy CS13 of the Core Strategy, but it would engender a more substantive change and greater offer to the wider community as demonstrated by the correspondence in support.

In visual impact terms the extensions to the buildings are relatively low-key and would not have a significant impact upon the immediate or peripheral views of the football ground and its playing field setting. The inter-relationships with existing neighbouring dwellings would not be materially affected given separation distances and orientation of the stand and dugouts.

Whilst the concerns of the Town Council are noted, for the reasons stated in this report the proposed development accords with Policies CS04, CS08, CS11 & CS13 of the Core Strategy and Policies DM2, DM15 & DM17 of the SADMPP and is duly recommended for approval subject to certain conditions stated below.

It must however be clearly stated that the recommendation is based purely on planning matters considered as part of the planning function of the Local Authority. The matter of ownership has been appropriately addressed by the service of Certificates as part of this application.



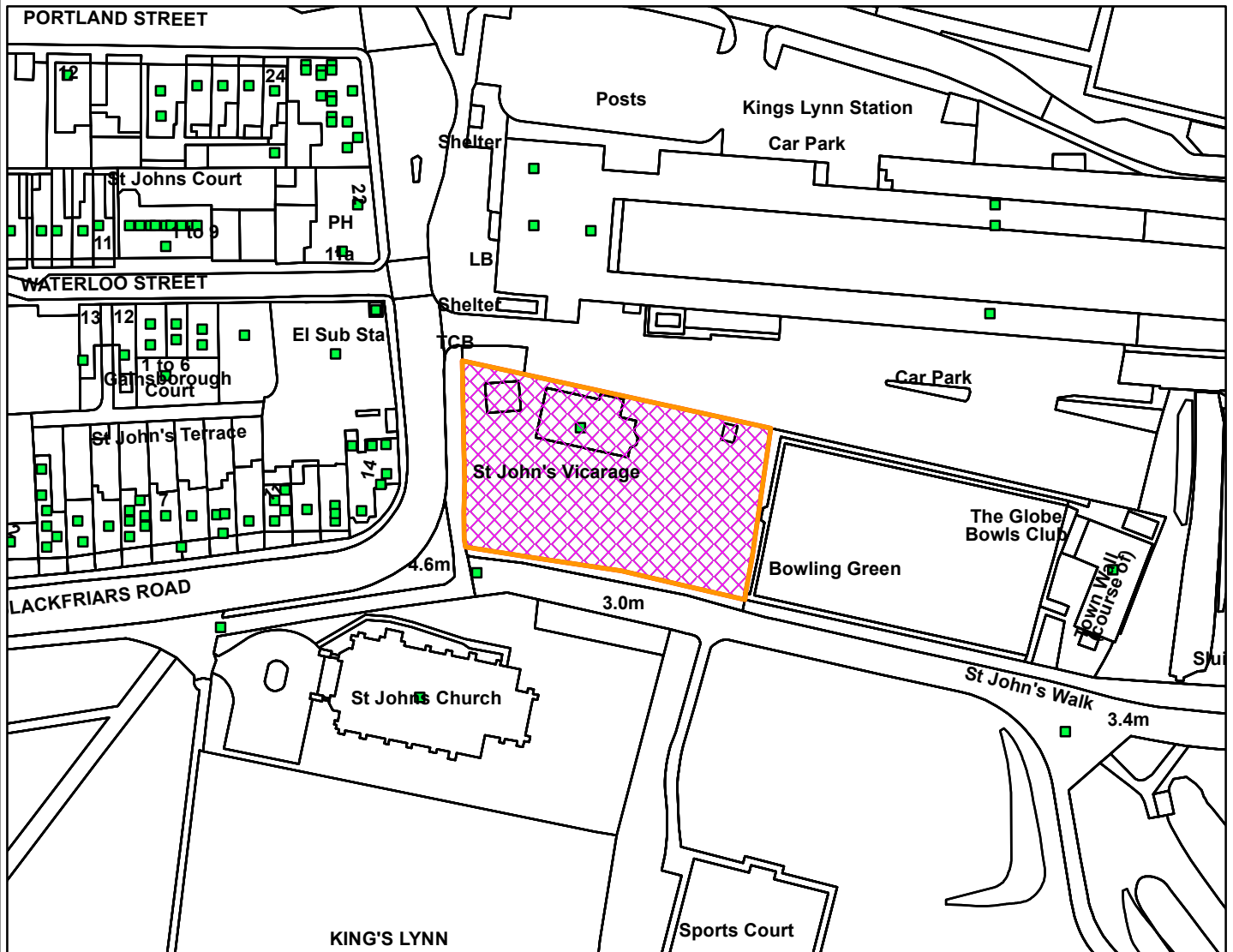
**RECOMMENDATION:**

**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: 1296.04 Revision A, 1296.05 Revision A & 1296.06 Revision A.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.



St Johns Vicarage Blackfriars Road Kings Lynn PE30 1NT



**Legend**

**Scale:** 1:1,250

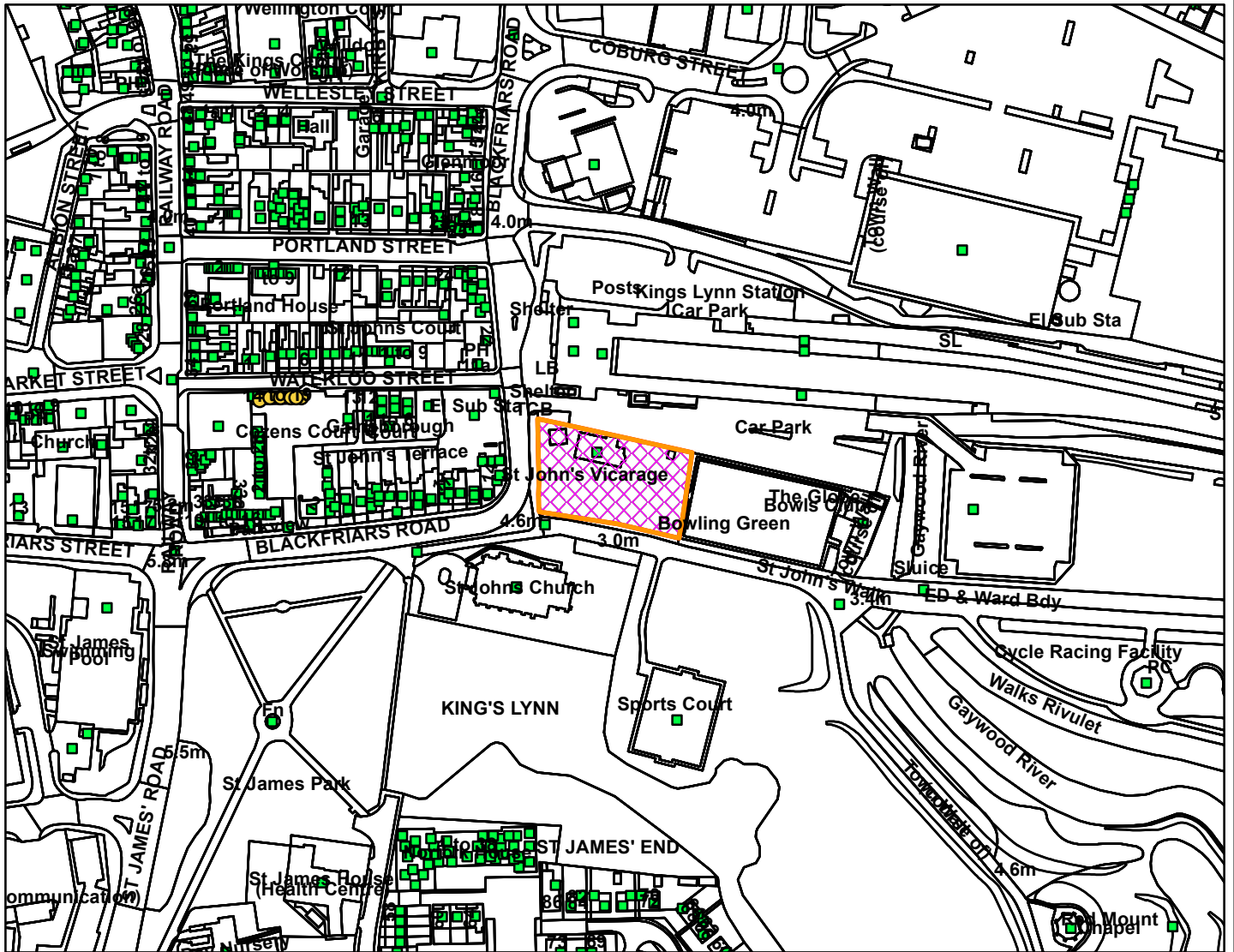
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



St Johns Vicarage Blackfriars Road Kings Lynn PE30 1NT



**Legend**

[Empty legend box]

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>24 hour homeless accommodation with ancillary support services.</b>	
<b>Location:</b>	<b>St Johns Vicarage Blackfriars Road King's Lynn Norfolk PE30 1NT</b>	
<b>Applicant:</b>	<b>King's Lynn Night Shelter</b>	
<b>Case No:</b>	<b>23/01665/CU (Change of Use Application)</b>	
<b>Case Officer:</b>	<b>Connor Smalls</b>	<b>Date for Determination: 15 November 2023 Extension of Time Expiry Date: 12 April 2024</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Heneghan

**Neighbourhood Plan:** No

**Case Summary**

The application site is situated on the east side of Blackfriars Road, King's Lynn, and comprises a detached building and garden (the former St Johns Vicarage). The building is over two floors with some space in the roof (office and rest room). The applicant states that the building currently consists of 8 bedrooms. Consent was granted under ref: 22/01862/F for the extension of the building to accommodate a total of 12 bedrooms. The site is set within the development boundary and the King's Lynn Conservation Area. The building is considered to be an Important Unlisted Building in the Conservation Area Character Statement.

This application seeks consent for the use of the site as year-round, 24/7 accommodation for the homeless with ancillary support services following consent granted in 2020 for the change of use of the dwelling to a homeless shelter (Winter Night Shelter) under ref: 20/00526/CU.

**Key Issues**

- Principle of development
- Form and character
- Impact on neighbour amenity and crime and disorder
- Highway safety
- Flood risk
- Any other matters requiring consideration prior to determination of the application

**Recommendation**

**APPROVE**

## **THE APPLICATION**

The application site is situated on the east side of Blackfriars Road in the centre of King's Lynn, adjacent to the train station to the north, with St John's Church to the south and The Walks Park beyond as well as to the southeast and southwest. The town Centre is to the west. The site consists of a detached building and garden (former St John's Vicarage), currently with permission for use as a Winter Night Shelter. The building is over two floors with some space in the roof (office and rest room). The applicant states that the building currently consists of 8 bedrooms. Consent was granted under ref: 22/01862/F for the extension of the building to accommodate a total of 12 bedrooms. The site is set within the development boundary and the King's Lynn Conservation Area. The building is considered an Important Unlisted Building in the Conservation Area Character Statement.

It is noted within supporting documentation that the Night Shelter moved to a 24-hour model as a result of the Covid pandemic, the Night Shelter has also extended the months of operation to 9 months of the year rather than just the "winter", and subject to funding (this is noted to be from a range of sources in supporting information including grants and donations), plan to be open year-round. This application seeks consent for the use of the site to year-round, 24/7 accommodation for the homeless with ancillary support services following consent granted in 2020 for the change of use of the dwelling to a homeless shelter (Winter Night Shelter) under ref: 20/00526/CU.

## **SUPPORTING CASE**

I am writing on behalf of King's Lynn Night Shelter in support of the above application, 24-hour homeless accommodation with ancillary support services. The application was made in September 2023, we understand that it is due to be considered by the Planning Committee on 8th April and that an update may be useful.

The Night Shelter has been open this "season" since 1st November 2023, providing 24-hour homeless accommodation with support services as it has done for a number of months each year since moving to our current premises at St John's House in 2020: we opened for 5 months in the winter of 2020-21, 9 months in 2021-22 and 2022-23, and are funded to remain open this "season" until the end of June 2024. We hope, funding permitting, to be open year-round as soon as possible.

The continued need for this facility in our community has been very clear to us this winter. The Night Shelter has been fully occupied since we opened in November, with a waiting list, and almost all of our guests (service users) have not been able to access emergency accommodation through the local authority (B&Bs). During the months November 2023 – February 2024 we welcomed 24 guests. Most of these individuals have had support needs including substance misuse and mental or physical health needs, and would have been at risk of harm if they had had to sleep rough. Around 3 in 5 were involved with the criminal justice system prior to coming to stay with us, and would likely have been more involved during this winter if they had been on the streets during this time. We continue to work with our guests to help them find positive and sustainable move-on accommodation.

Our desire to be open year-round has come partly from feedback from our guests, who tell us that rough sleeping is dangerous and traumatic at any time of year, and partly from national data which shows that rough sleeping lowers life expectancy to 47 years for men

and 43 for women. There is a clear need for safe emergency accommodation for people who would otherwise sleep rough, year-round.

The “ancillary support services” refers to the support we offer “at the door”, 24 hours a day, to rough sleepers and others who are homeless and sofa surfing, or in temporary accommodation or otherwise vulnerably housed and in need of assistance. This support is offered at the door only (ie not in house) but we are able to offer advice and signposting, the use of a phone, sleeping bags for rough sleepers, and hot drinks and simple takeaway food (soup, sandwiches) during the hours when the day centre facility at the Purfleet Trust is closed. We have supported 150 people in this way between November 2023 and February 2024, in addition to the individuals who subsequently became our guests. The Night Shelter is the only facility in King’s Lynn offering this service.

Since submitting our application in September 2023 we have had a number of discussions about the Night Shelter’s impact on our immediate neighbourhood, with Police, the Council’s community safety team, and local residents. We are pleased that the Safety Plan which we updated with the help of Police in September seems to have been effective in managing the site this “season”, and we note that the only complaint received this season has been in relation to activity at another property not connected with the Night Shelter and with which our guests were not involved. We hosted a meeting for local residents in November to ask how they felt things were going, and only one neighbour attended or sent comments for consideration.

We met in December with Police and with the Council’s community safety manager, and we note the comments of the CSNN team on this application. The suggestion put forward of a neighbourhood map area within which guests are required to refrain from antisocial behaviour, raises the question of the extent to which it is reasonable for any accommodation provider to penalise residents for their behaviour off site – and would also require involvement from Police, as the Night Shelter would expect members of the public to be reporting antisocial behaviour to Police to manage and to inform us if appropriate, rather than informing us directly (not least as we are unable for safeguarding reasons to confirm to members of the public if an individual is staying with us).

We note also the most recent comments from Police regarding site safety, which have surprised us as we work closely with Police and the local team are familiar with the Night Shelter premises – so for example Police are already aware that the guests at the Night Shelter do not share rooms, and that the only access to the building is via a door on a fob system which can be opened only by staff, so that guests are unable to allow access to visitors or friends. We are committed to working with Police and meet weekly with colleagues from the Operational Partnership Team.

In summary we continue to believe that the Night Shelter is a valuable community service which meets a clear need in supporting some of the most vulnerable people in our community, which considers and responds to the concerns of the local neighbourhood, and manages the site safely and effectively. We hope that the Planning Committee will give us favourable consideration.

## **PLANNING HISTORY**

22/01862/F: Application Permitted: 14/12/22 - Extension and alterations to night shelter – delegated decision.

23/01665/CU

Planning Committee  
8<sup>th</sup> April 2024

20/00526/CU: Application Permitted: 12/06/20 - Change of use from single dwelling to a winter night shelter for the homeless – delegated decision.

2/00/1592/F: Application Permitted: 08/12/00 - Construction of double garage to replace existing.

## **RESPONSE TO CONSULTATION**

**Conservation Officer: No objection**

**Historic England: No comment**

**Highways Authority: No objection**

**Secured by Design Officer (Norfolk Constabulary):**

To original consultation (summarised for clarity):

I note that there is not any alteration or extension to the actual building itself and that the "change" is for the buildings use continuously. I have liaised with the Constabularies Operational Partnership Team from King's Lynn and they have regular meetings and consultation with regards to the management of the venue.

To second consultation with updated description (summarised for clarity – full response available online):

Previously visited the site, in December 2023 for a meeting in conjunction with Sergeant Wiseman of the Constabularies Operational Partnership Team and Andy Nederpel Community Safety Manager from the Borough Council and would encourage the applicant to consider incorporating the principles of the Police Crime Prevention Initiative Award (Secured by Design) into this proposal.

The Government has reiterated that designing out crime and designing in community safety should be central to the planning and delivery of new development. Specifically, the Planning Practice Guidance on Design reminds practitioners that local authorities are duty bound to adhere to Section 17 of the Crime and Disorder Act 1998 and exercise their functions with due regard to their likely effect on crime and disorder and do all that they reasonably can to prevent crime and disorder. This aligns with The National Planning Policy Framework.

Recommendations are made in relation to:

- Main entrance to the development should ideally have a brick pillar style entrance; this is proven to create a "symbolic barrier".
- Defensible space.
- Appropriate access gates and perimeter fencing.
- Provision of a dense defensive hedge as a deterrent feature.
- Recommends that a building design avoids blank windowless elevations to promote a development that increases Natural Surveillance and deters inappropriate loitering. It is essential to maximise overlooking from active windows over access routes and amenity space.
- Management of the facility.

- The routes from the site entrance to the reception and to the car parks and delivery points should be clearly defined and benefit from as much overlooking from the reception and other occupied offices as possible.
- Reception/Serving counters should provide the staff with a clear view of any resident area, the approach to the entrance door and have restricted access from the public side.
- Staff and visitors provide appropriate guardianship levels over the entrances, open space, vehicular/pedestrian/cycle access routes and activity areas.
- Using an effective Closed-Circuit Television System to cover the Site buildings and single point of entrance/exit to capture all vehicles and pedestrians entering the site.
- Natural Surveillance of car parking.
- Cycle storage requirements.
- Waste containers- locking and fire safety.
- Ideally within the site all specified shrubs and planting should have a maximum growth height of 1 metre with any internal trees being pruned up to a 2-metre level providing single stems.
- A carefully designed Lighting plan to cover all vulnerable areas should be in place.
- A suitably designed, fit for purpose, monitored intruder/panic alarm system must be installed.
- With regard to the management of the venue; It is essential that regular staff training, and security briefings take place. This keeps security in the forefront of their minds and avoids complacency.

**Environment Agency: No objection**

**Emergency Planning Officer: No objection:**

Reference the above application. Because of its location in an area at risk of flooding and in line with best practice in business continuity I would suggest that those running the site:

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

Install services at high levels 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 isolating services and taking valuables etc  
Evacuation routes

Under 20/00526/CU a flood evacuation plan was conditioned and developed and subsequently discharged as fit for purpose. This will be fit for purpose if used as no increase in numbers or design is proposed.

**Senior Housing Manager: No objection:**

The Housing Needs Service has no objection to the provision of year-round, 24/7 homelessness accommodation. A year-round model would eliminate the need to ask people to leave at the end of June if their housing situation has not been resolved. 24/7 accommodation is a preferable model to one which asks people to leave every morning and return in the evening.



The council has had dialogue with the Night Shelter about ensuring the service meets need in the context of changes to patterns of rough sleeping in the borough. However, these are not directly relevant to the questions around (a) the number of months of the year in which the Night Shelter operates and (b) whether residents are allowed 24-hour access to their rooms.

**Community Safety and Neighbourhood Nuisance (CSNN) (summarised for clarity):**

**Several comments were received from CSNN which were superseded by the final response from the Community Safety Manager. All are available to view on the online file with the final response summarised below).**

After considering the relevant overarching legislation and relevant planning legislation and guidance it has been decided that we have a duty to recommend conditions to provide adequate protection from an adverse impact from crime, disorder and nuisance.

Under section 17 of the Crime and Disorder Act the Local Authority has a duty to consider crime and disorder implications in the planning regime.

Section 8 of the National Planning policy Framework paragraph 96 also clearly states that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places'.

It goes on to say that the planning regime should be used to promote development that is 'safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'.

The conditions are necessary as without them there is a no formal ability for the operator to prevent and to act on crime and disorder caused by its residents in the locality to ensure there is no adverse impact on the community and to ensure that the area remains inclusive and safe.

The conditions are relevant to planning under section 8 of the Planning Policy Framework.

The condition is specific and relevant to the operations and functions applied for.

The conditions are enforceable as if they are provided within 28 days and the terms and conditions include an unacceptable behaviour policy relating to the area marked in red on plan A the applicant has complied. Once the terms and conditions are approved if the applicant provides service to a user without them signing the terms and conditions they will have breached the planning condition. Each of these involve the simple provision of documentation and therefore it can be seen easily whether they have complied or not.

The condition is precise as it makes the terms of compliance clear and it is related only to the specific operation under the application.

The condition is reasonable in all other aspects as this does not require onerous actions on the applicant, the process it relates to is already being informally implemented by the operator, it requires only that documentation is provided once and then used for each service user thereafter. The condition does not require the operator to carry out the staged escalation actions which would be difficult to enforce. The condition is to be used as a tool to ensure that the service users are made aware of how they are expected to behave on the application site and in the community around the site and the consequences of not doing so.

This is all important to allow other functions of the council such as enforcement under The Antisocial Behaviour Act 2014 to be more effective by allowing it to be made clear that any individual who does create crime and disorder or nuisance was aware of what was expected of them by accessing the service to prevent homelessness and the consequences of creating crime and disorder and nuisance on the provision available to them. Furthermore when taking enforcement action this will support the demonstration of a pattern of behaviour.

Conditions:

Terms and conditions of service including behaviour in the locality

A terms and conditions of service document will be submitted to the Local Authority within 28 days of permission being granted for consideration for approval. Once approved no service will be provided to a user unless they have signed the terms and conditions of service. The terms and conditions of service will include an unacceptable behaviour policy that relates to the area marked by a red border on the attached Plan A and it will include staged management actions for failures of users to comply with the requirements of the terms and conditions of service. Records of each individuals' terms and conditions of service document must be kept. A service user is defined as a person who is provided with overnight accommodation.

Crime and disorder management plan

A Crime and Disorder Management Scheme (CDMS) will be submitted to the Local Authority within 28 days of permission being granted for consideration for approval. Once approved the scheme will be adhered to at all times. A service user is defined as a person who is provided with overnight accommodation.

*Please note that other conditions relating to security and additional assistance requests have been withdrawn due to other information being provided that have satisfied the community safety manager they are not needed.*

**If the planning team are minded not to attach them to any permission then the community safety manager OBJECTS to the application.**

**Greenspace Officer: No objection:**

I spoke to the operations manager for The Walks, we can't see any major issues arising from this. We believe 24 hour accommodation is beneficial, as when it is only open overnight The Walks is used as a waiting area and benches can be taken up while guests are waiting for the shelter to reopen in the evenings.

## **REPRESENTATIONS**

**King's Lynn Train Station (responses summarised for clarity):**

We support the shelter and understand that its central location in the town is important in being accessible to vulnerable members of the community. The introduction of the night shelter as a safe space for those who had nowhere to go is welcomed and we believe that it is a very worthy cause.

Shelter's clients have used the station forecourt and environs as a gathering place. When they are drinking, problems have occurred with anti-social behaviour. We understand that the shelter operates a zero-tolerance policy onsite with regard to alcohol and substance abuse, but this does not extend to adjoining properties such as the station. This does also have the effect of meaning that some of those who do drink, do so on the station grounds or on the concrete benches out the front of the station. There are recorded incidents of customers and staff at the station being targeted by anti-social behaviour. This is a small minority and appears to be the same small group, but they do appear to have a negative effect on the atmosphere and image of King's Lynn for those who use the station. Passengers and staff often feel intimidated when this group are around, and staff having to deal with it opens them up to unnecessary confrontation.

Occasionally, Shelter clients have resorted to begging near or on the station and this, along with rowdy gatherings, is intimidating to customers and station staff. Our concern with summer operation of the Shelter is that the good weather will encourage more gatherings at the station for longer hours into the evening.

We have also experienced Shelter clients coming into the station, either to use the toilets or to try to buy alcohol and other goods from the station café. These facilities are strictly for the use of Railway customers, but it is impossible for our staff to police them, given the limited workforce we have and the lack of any enforcement officers at King's Lynn. We have had to close the toilets to the detriment of ticketed customers and at significant cost in penalties levied by the Department for Transport.

Our station layout is potentially dangerous for vulnerable persons. One of the platforms is accessible to non-customers and there is a risk of someone falling onto the tracks from this platform. Again, we have insufficient staffing levels to police this platform and, while we can mitigate the risk of trespass by locking the south side gate and toilets, we cannot eliminate it.

I would like to point out that when we have raised issues with the management of the night shelter, that they have been brilliant in dealing with our concerns and we often see an improvement in the situation. We are concerned with there being enough staff to safely manage the site all through the summer, when people are less likely to want to be inside and would, understandably, much prefer to be outside in the nice weather.

A condition we would like to suggest, for example, is the relocation of the concrete benches away from the station forecourt to somewhere else; for example, the park.

Another condition would be that all clients of the Shelter should be explicitly briefed that the station and its facilities are strictly out of bounds for anyone other than ticket-holding customers.

A third condition would be regular and visible Police presence - in the form of a beat officer - to act as a deterrence to anti-social behaviour.

### **Third Party Representations:**

**FOUR** public **OBJECTION** comments:

- Previous objections to previous applications were ignored, why was this second application not passed through the planning committee for further discussion with the police?

- The Winter Night Shelter did not operate last winter as agreed in the original application as its gates/ doors were open for their guests throughout the day. Up until its closure at the end of June the Shelter was running as a full time hostel for nine months of the year in contravention of the original application.
- The NS has attracted a significant number of its client group to the town & appears to have a very wide catchment area far beyond the King's Lynn area.
- When the Night Shelter was open last winter there was a very significant rise in litter, vomit, anti-social behaviour and criminal activity in the neighbourhood which increased to such an extent a major incident took place.
- Making this a 24 hour night shelter will bring anti-social behaviour drinking & drug consumption.
- Since the night shelter opened the police have been called to this address & the train station due to anti-social behaviour due to drug & alcohol consumption.
- A neighbourhood group has been formed. We received a letter from the Night Shelter to say they wanted to be a good neighbour in the area but as yet this has not been supported with any actions. The shelter is not regulated like other organisations. The Complaints Policy does not seem 'fit for purpose' and needs revising.
- This objection is not about the Night Shelter as an organisation for the homeless but is directly focused at the way it is managed in such a manner to have no respect or concern for the neighbourhood in which it is located.
- If the application is approved it will be further evidence of the lack of consideration for the public who live in this area and the visitors, tourists who arrive at the station.
- It also makes the town look untidy as the residents like to hang around the train station during the day, surely visitors to the town don't want to see people shouting arguing & drinking.
- The council recorded supporters on the previous application from comments which were logged by the people who actually work at the Night Shelter.
- Impact on pedestrian and cycle path at the front of the site.
- Closing and locking the gate when Visitors leave would help reduce this unpredictable flow and prevent drug use /dealing going on in the Shelter gardens, and reduce the noise , fighting and other anti-social behaviour.
- The Night Shelter 365 day proposed operation will detrimentally affect a conservation area /listed buildings undermining the strategic importance of the area in regards to the Rail to river Development Plan as well resident amenity. One resident is already moving away.
- The Night Shelter attracts non resident street drinkers for free food.
- Some littering is dangerous for example used needles in The Walks ground/grass.
- The site is in a designated conservation area with a number of listed buildings including the Victorian Railway Station, St Johns Church, and St Johns Terrace.
- Serious Safeguarding issues for young children walking past.
- The Police have reported receiving 33 Emergency calls about the Night Shelter from March-June 2023 and that since the Shelter has closed for the Summer there have been 2 incidents reported that we know of.
- A group of Visitors reported to a Customs House Volunteer that they 'thought the Town was beautiful ,fascinating and architecturally significant but that it was a shame about the people loitering/fighting near the Train Station'. Quote from this visitor -" Someone in authority needs to do something about this."
- If the gradual deterioration of the quality of the domestic environment in a prime historic location continues then more will fall into the hands of landlords who have no interest in their preservation and will let them to vulnerable tenants.
- This extension of hours undermines the Local Development Plan.

**TWO** public **SUPPORT** comments:

- Understands the excellent work that the nightshelter does. I think there is definitely a misunderstanding that any anti social behaviour around the walks is because of the shelter.
- It is often very quiet at the night shelter which is next to a train station, noise from people coming off the trains is generated.
- The night shelter saves lives. We know already that we have rough sleepers in the town. The weather has turned and I truly believe that this facility is necessary to ensure that the homeless of Kings Lynn have a safe place this winter.
- Living opposite the site for four years I hope the change of use is agreed.

Consultation to amended description:

**ONE** public **OBJECTION** comment:

- Use attracts and supports criminals and criminal behaviour.
- Responsibility needs to be had for the activities brought to the neighbourhood and as has previously occurred we are very concerned the anti-social behaviour will escalate in the summer months.

## **LDF CORE STRATEGY POLICIES**

**CS12** - Environmental Assets

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

**CS13** - Community and Culture

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

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

**DM2** – Development Boundaries

**DM15** – Environment, Design and Amenity

**Policy E1.1** – King's Lynn Town Centre

## **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
- Impact on neighbour amenity and crime and disorder
- Highway safety
- Flood risk
- Any other matters requiring consideration prior to determination of the application

### **Principle of Development:**

Policies CS01, CS02, and CS03 of the Core Strategy (2011) promote the growth of King's Lynn to meet its obligations as a Growth Point and Key Centre for Development and Change and development as a Sub- Regional Centre. Policy CS03 supports urban renewal within the town centre, provided development demonstrates a high quality of design which respects and enhances the wider historic surroundings and has no detrimental impact on flood protection strategies, highways, local services and facilities, significant trees wildlife or historic assets, enjoyment of the public realm, or crime prevention. Policy E.1.1 (Town Centre) of the Site Allocations and Development Management Policies Plan (2016) states that other uses which contribute to the character and vibrancy of the town centre will be encouraged, including community facilities.

Policy CS13 states that development should enhance community wellbeing, reduce the opportunity for crime, work towards improving people's quality of life, reducing inequality and improving community cohesion working to help address the wider social problems in the borough. This is supported with National Government aims to reduce, prevent and end rough sleeping.

In 2020, consent was granted for the conversion of the former vicarage to a Winter Night Shelter (20/00526/CU). It is noted within supporting documentation that the Night Shelter moved to a 24 hour model as a result of the Covid pandemic, the Night Shelter has also extended the months of operation to 9 months of the year rather than just the "winter", and subject to funding, plan to be open year-round.

Based on the previous consent for a Winter Night Shelter and policy support, it is considered that the change of use to year-round, 24/7 accommodation for the homeless with ancillary support services would be acceptable. The proposed development would also continue to make use of a historic building in the town centre, where a varied mix of uses are expected. Subject to compliance with both local and national policy, the principle of development is therefore considered to be acceptable.

### **Form and Character:**

The site is within the urban centre of King's Lynn, within the Conservation Area and adjacent St John's Church which is Grade II listed. The main building is considered an Important Unlisted Building in the Conservation Area Character Statement. No external works are proposed to the building itself and fencing shown on the submitted site plan is in accordance with previously permitted plans. This includes a 1.8m hooped fence across the centre of the site with parking to the west towards the entrance. This also includes a 1.8m high, 1.2m wide gate. In addition, the submitted plan shows a 1.8m wooden board gate to the north of the main building and northern boundary. To the east of the main building a small area of 1.8m close board fence and gate is also shown.

23/01665/CU

Planning Committee  
8<sup>th</sup> April 2024

It is not considered that any of this would warrant refusal or amendment and the Conservation Officer raises no objection. As such, the development is considered acceptable on this ground and would be in accordance with Policy CS08 and CS12 of the Core Strategy 2011 as well as DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023

### **Impact on Neighbour Amenity and Crime and Disorder:**

Within the previous approval (20/00526/CU) for the conversion of the building to a Winter Night Shelter approved details included: "CCTV cameras are affixed to the northern, western (front) and south walls of the building. The external doors are covered by an electronic security system which can only be operated by a fob which is in the possession of the Shelter staff". Fencing shown on the submitted site plan is in accordance with previously permitted plans and is also conditioned within approved plans within this application. This includes a 1.8m hooped fence across the centre of the site with parking to the west towards the entrance. This also includes a 1.8m high, 1.2m wide gate (lockable). In addition, the submitted plan shows a 1.8m wooden board gate to the north of the main building and northern boundary. To the east of the main building a small area of 1.8m close board fence and gate is also shown.

The Community Safety and Neighbourhood Nuisance Team have requested two conditions in their final response to this application. These are in relation to: a **Crime and disorder management plan** as well as a **Terms and conditions of service including behaviour in the locality**.

In relation to a **crime and disorder management plan**, during the course of this application discussions have been had between the CSNN team, Housing Standards and Planning. It has been noted that antisocial behaviour is an included element within a HMO licence. Therefore, it is not considered necessary to include a crime and disorder management plan condition on this planning consent.

In relation to a **terms and conditions of service including behaviour in the locality** condition, it is noted that a HMO licence cannot include such elements after discussion with the Housing Standards Team. However, it is not considered that this condition would meet the tests for a condition. The suggested area that the condition (shown on CSNN's Plan A) would apply extend beyond the red line of the application site and this would not be reasonable, precise or enforceable. The nature of the condition is outside of the scope of the planning system which is in place to manage the use of land and not behaviour. Such a condition is not considered enforceable from a planning perspective as the trigger points and monitoring of the compliance with the document would not be practical or reasonable for enforcement through planning. Such a document may be appropriate for the applicant and management to adopt but it cannot be enforced or conditioned within the planning system.

*Other conditions relating to security and additional assistance requests have been withdrawn due to other information being provided that has satisfied the Community Safety Manager they are not needed.*

It is important to note that CSNN have not over the course of the application objected in principle, they do however object if the recommended conditions are not attached to this consent. However, the Local Planning Authority considers that in principle, this use is compatible with the mixed-use town centre location. The comments from the Community Safety Manager/CSNN Team are addressed above in relation to the planning system and the compatibility of the requested conditions with the relevant tests.

In addition, within CSNN's response it is noted that the Local Authority has a duty to consider crime and disorder under section 17 of the Crime and Disorder Act. Further, Section 8 of the National Planning Policy Framework under Paragraph 96 is mentioned which states that 'Planning policies and decisions should aim to achieve healthy, inclusive and safe places'. It goes on to say that the planning regime should be used to promote development that is 'safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion'.

The Conditions recommended by CSNN are stated to be submitted considering the above as well as the tests for planning conditions. However, it must first be noted that planning should not duplicate controls within other control frameworks and regimes. As noted above, within the HMO Licensing process, antisocial behaviour can be considered in relation to preventing or dealing effectively with any anti-social behaviour. The exact details of this can be specified within the licence/licencing process.

The second recommended condition from CSNN is addressed in the above report. However, while this condition is not considered appropriate given planning condition tests it is also important to note control is available outside of planning regulations in relation to nuisance legislation. It is important that the planning system does not onerously duplicate control in this regard. The focus of the planning system is on land use planning.

It is therefore considered that the Local Planning Authority has duly considered crime and disorder impacts, in accordance with legislation and planning policy.

On this basis, it is therefore considered that the proposal is acceptable and in accordance with Policies CS08 of the Core Strategy 2011, DM15 Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023.

### **Highway Safety:**

NCC Highways raise no objection based on the proposed application, it is therefore considered that the application is acceptable in regard to Policy CS11 of the Core Strategy 2011 as well as DM15 of the SADMPP 2016 and the NPPF.

### **Flood Risk:**

With the previous 2020 assessment for the original change of use to Winter Night Shelter it was considered that the site falls within an area of flood risk (flood zone 3) and the proposal includes sleeping accommodation at ground-floor, where the level of maximum flood depth is 1.5 to 2 metres above ground level. This was the same level of flood risk as the then night shelter on North Street.

The King's Lynn flood guidance states that for new residential development where there is a maximum flood depth of 1.5 to 2 metres, safe refuge must be provided and there should not be any ground-floor sleeping accommodation. Unlike a new residential dwelling, however, the proposed facility is staffed overnight, which will allow for occupants to be moved upstairs in case there is a flood event. The LPA also considers that occupants of the shelter would be safer in the staffed facility during a flood event than if they were sleeping on the streets in a situation where they may not receive warning of a flood event.

It is not considered that by permitting the use of the site for 24/7 homeless accommodation, this previous assessment would materially change, and the exception test is passed based



on the community benefit of the use. A Flood Risk Assessment (FRA) has been submitted, neither the Environment Agency nor Emergency Planning Officer objects.

Conditions relating to the flood risk assessment and flood evacuation plan would be attached to any permission for the avoidance of doubt. Flood Risk advice from the Emergency Planning Officer is included as a recommended informative where not already covered by conditions.

Overall, it is considered that the development would be in accordance with Policy CS08 of the Core Strategy 2011 and DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023.

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

##### Response to CSNN Comments

It is considered that suggested conditions and the overall response from CSNN are addressed in the aforementioned sections.

##### Response to Designing out Crime Officer

Within the CSNN response, it is noted that they no longer consider a condition relating to security/ additional security measures necessary. It is also outlined in the aforementioned sections that specific measures are also in place on site. Based on this, it is not considered it would be reasonable to request further details in this regard. As such, as the designing out crime officer is not objecting and CSNN consider current security to be adequate, no further information is requested.

##### Response to King's Lynn Train Station comments

Conditions regarding the benches to the front of the train station, an alcohol ban and police presence are outside of the scope of this planning application and would not meet the tests for conditions.

##### Response to Third Party Comments

It is considered that many issues raised by third party objections are addressed within the above report and assessment of the requested conditions from the CSNN Team.

Previous objections would have been considered in the determination of those applications and decisions would have been reached in accordance with the scheme of delegation. This application seeks to regularise the operation of the night shelter updating the hours of use and period of opening during the year etc. The Secured by design (Norfolk Constabulary) officer does not object (and their response is addressed within this report), as is the CSNN response.

Public comments can be submitted, and points raised will be considered where they raise material planning considerations.

Norfolk County Council Highways raise no objection, and it is not considered that a refusal could be substantiated based on the impact on pedestrian and cycle path at the front of the site. It is also of note that the Conservation Team do not object to the scheme and a refusal is not considered to be reasonable or justified based on the impact on the Conservation Area

and nearby listed buildings including the “strategic importance of the area in regard to the Rail to river Development Plan”. Amenity is considered in the above report.

It is considered, as outlined above, that the proposal would be in accordance with local and national planning policy and would be acceptable.

### **CONCLUSION:**

Overall, the proposed use is considered acceptable in this location. Issues relating to antisocial behaviour, the impact of the use on the locality, also taking into account crime and disorder, would be acceptable taking into account controls outside of the planning process (such as HMO licencing) and nuisance legislation again outside of the scope of the planning system and control of conditions. The site is within the urban town Centre where a mix of uses are appropriate.

Alongside this, it is not considered that there would be any issue in relation to form and character, highway safety or parking and flood risk. As such, the application is considered to be in accordance with policies CS08, CS12 and CS13 of the Core Strategy 2011, DM15 Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023.

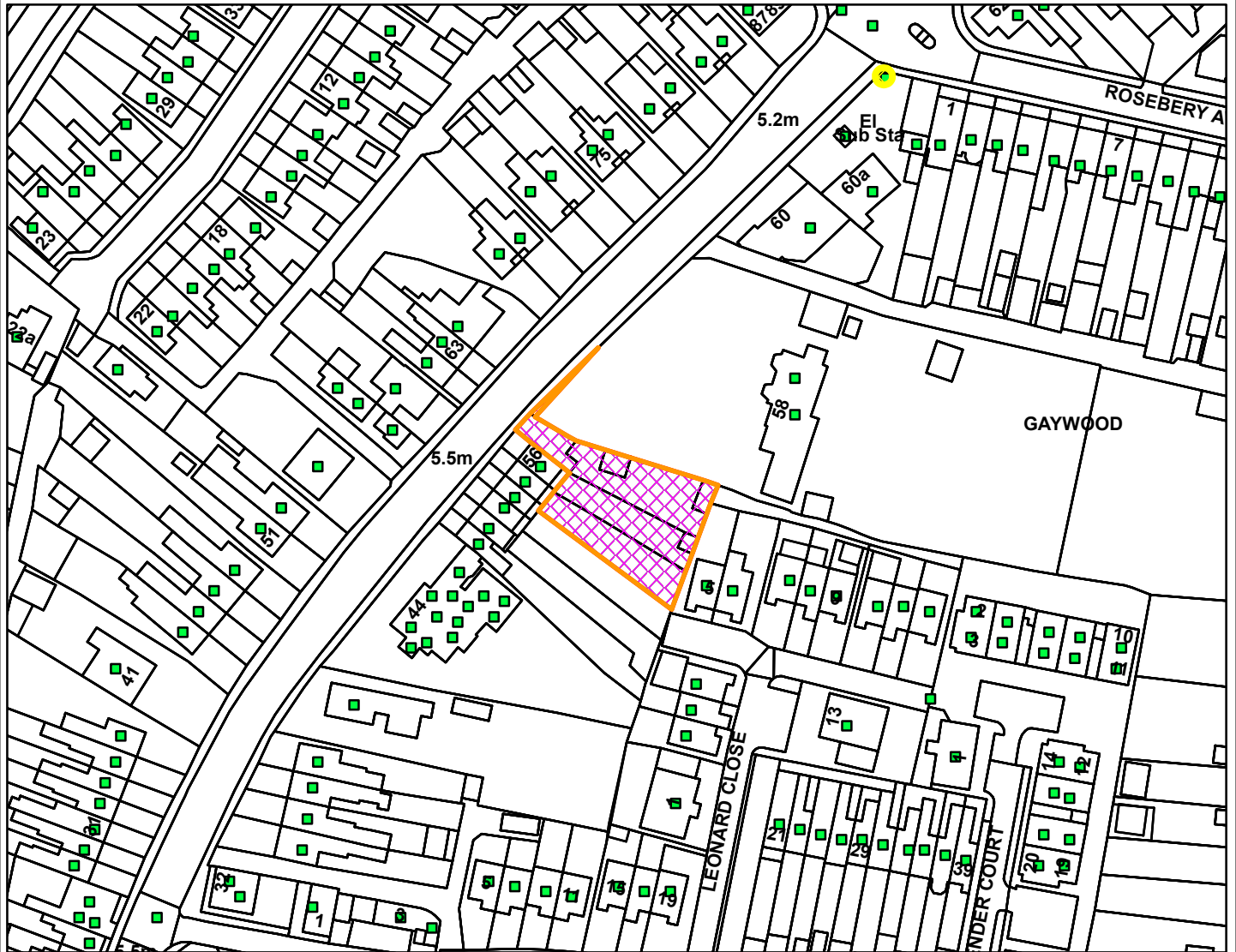
### **RECOMMENDATION:**

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

- 1 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans: SITE PLAN, Received: 20/09/23.
- 1 Reason: For the avoidance of doubt and in the interests of proper planning.
- 2 Condition: The development shall be implemented in accordance with the measures contained within the submitted FLOOD RISK ASSESSMENT (March 2020) , authored by ARK Ltd.
- 2 Reason: To reduce the risk of flooding on the occupiers of the dwelling in accordance with the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023
- 3 Condition: The development hereby approved shall be operated in accordance with the submitted KIWNS Flood Evacuation Plan, received: 21/11/23.
- 3 Reason: To reduce the risk of flooding on the occupiers of the dwelling in accordance with the Site Allocations and Development Management Policies Plan 2016 and the NPPF 2023



56 Wootton Road Gaywood PE30 4EX



**Legend**

[Empty legend box]

**Scale:** 1:1,250

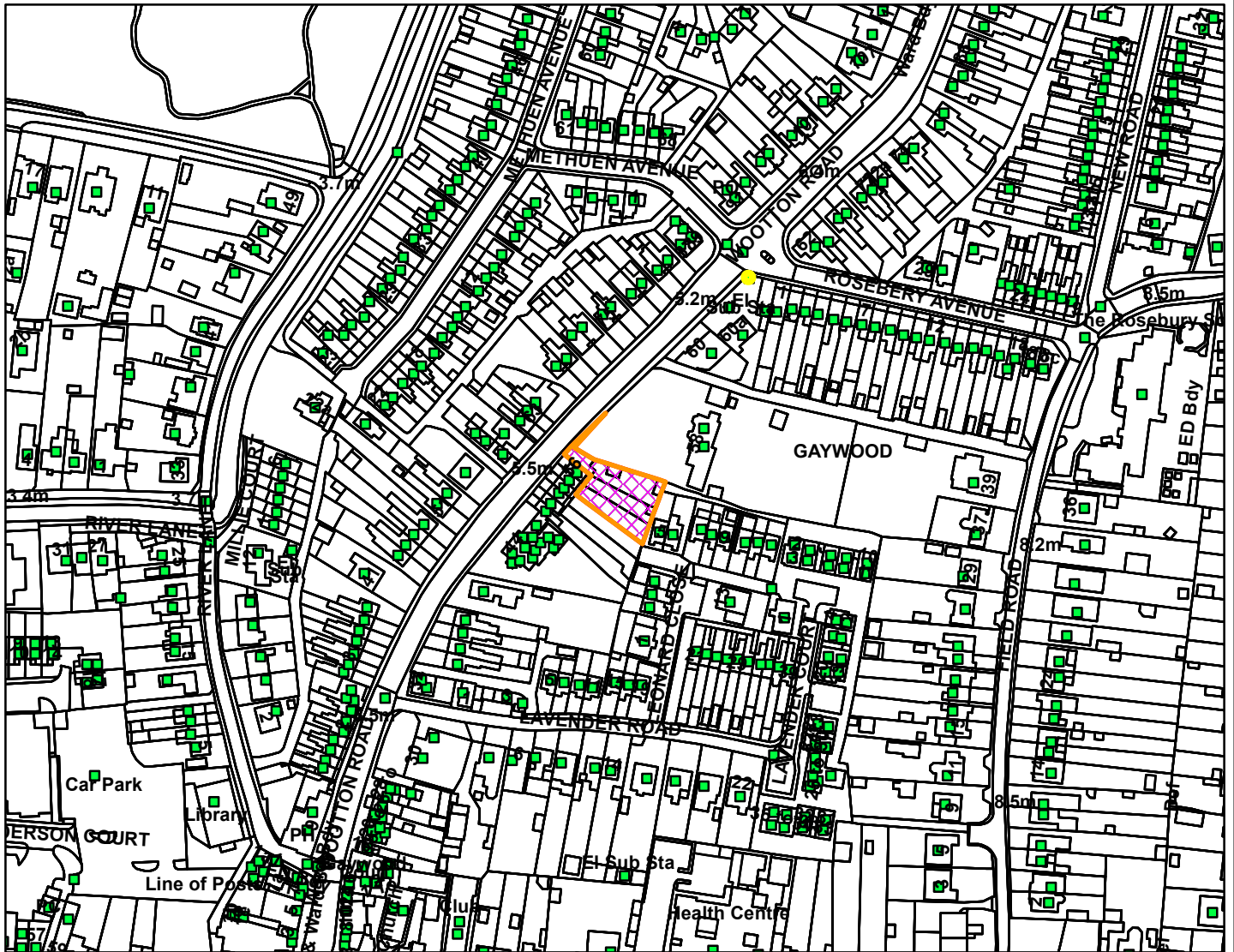
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



56 Wootton Road Gaywood PE30 4EX



**Legend**

[Empty legend box]

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>King's Lynn</b>	
<b>Proposal:</b>	<b>Outline application for up to 2 no new dwellings</b>	
<b>Location:</b>	<b>56 Wootton Road Gaywood King's Lynn Norfolk PE30 4EX</b>	
<b>Applicant:</b>	<b>Mr D Ward</b>	
<b>Case No:</b>	<b>24/00301/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Jonathan Doe</b>	<b>Date for Determination: 15 April 2024</b>

**Reason for Referral to Planning Committee** – Notice served on a member of staff.

**Neighbourhood Plan:** No

**Case Summary**

The application site is located at Gaywood, within the defined settlement boundary of King’s Lynn and West Lynn, a sub-regional centre as defined by Policy CS02 of the Core Strategy 2011. Gaywood functions as a neighbourhood centre within King’s Lynn. It provides a significant range of services including retail. The area is characterised by a mixture of a two-storey detached dwellings and terrace properties constructed from mainly red brick with some examples of cladding and render.

The site consists of former rear gardens 52, 54 and 56 Wootton Road. The plot is positioned to the rear (east) of these dwellings.

The proposal seeks outline planning permission, with all matters reserved, for up to two dwellings.

Parking would be provided for 52, 54 and 56 Wootton Road as part of the red line site.

**Key Issues**

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

**Recommendation**

**REFUSE**

## **THE APPLICATION**

The application site is on the eastern side of Wootton Road, to the north of the Gaywood District Centre. The site is outside the Gaywood Clock area.

Outline planning permission with all matters reserved is sought for up to two dwellings. An indicative block plan has been provided but no detail of the design has been provided.

The proposed development would use an existing access to Wootton Road. The indicative plan shows five parking spaces, 2 spaces for the proposed dwellings and a space each, 3 spaces, for the existing houses at 52, 54 and 56 Wootton Road.

The application is similar to one previously refused, 23/01598/O. The previous application indicated 7 parking spaces whereas the current application indicates 5. However, this change has enabled the host dwellings to be provided with some private amenity space, rear garden, whereas previously the host properties had only nominal spaces in the form of yards.

## **SUPPORTING CASE**

The documentation submitted includes a statement in support of the application referring to the principle of residential development being in accordance with strategic policy. The statement also refers as follows.

This is a highly sustainable location being in easy walking distance of all the facilities that Gaywood has to offer and on a regular bus route connecting to the town centre, railway station and QEH. Cycle links are also good. This is a windfall site which will contribute towards the provision of housing in the borough.

Under permitted development rights the three donor properties could potentially erect outbuildings up to 50% of the garden area and by far in excess of the footprint indicated on the indicative plan (albeit in single storey).

The proposal could be designed as a single or 1.5 storey building consistent with that form and character.

The application is in outline format only seeking to establish the principle of development with all matters (layout, scale, appearance, access and landscaping) reserved for future consideration. However, the required indicative plan shows the existing access to the site being upgraded to 4.5m with a visibility splay introduced to the north across third party land. This would significantly improve highway safety for pedestrians and vehicles exiting the site.

The site is contained by fencing and well-established hedging and trees. These create significant natural screening between existing properties and the site plus adjacent dwellings/gardens. An outbuilding style structure with roof lights serving accommodation in the roof space could negate overlooking issues.

There are no known surface water flooding issues within the site; soakaways are proposed for surface water disposal and foul water to be connected to mains sewerage. There are no significant implications for protected species as peripheral boundary hedges/vegetation could be retained and protected during construction and this is, and will remain as, garden land. The applicant agrees to previously suggested pre-commencement conditions relating to archaeology raised by Historic Environment Services.

This is a highly sustainable location; the proposal is an efficient and effective use of land

## **PLANNING HISTORY**

23/01598/O - Outline permission with all matters reserved for 2 New Dwellings – Refused  
17.11.2023

## **RESPONSE TO CONSULTATION**

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

In terms of highway considerations, at this stage, I have no objection to the principle of the development. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays (2.4m x 43m)
- ii) Access (minimum 4.5m width)
- iii) Parking provision in accordance with adopted standard
- iv) Turning

**Internal Drainage Board: NO OBJECTION** - The site lies outside the Internal Drainage District. No comment to make.

**Historic Environment: NO OBJECTION** - There is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development. Conditions suggested.

**REPRESENTATIONS ONE** representation of objection has been received at the time of writing this report. The points of objection are summarised as:

- Would contribute to overwhelming the Victorian drainage infrastructure
- Increase to traffic with attendant risks to road users
- Would not provide opportunities to first-time buyers or social housing
- Represents filling every small space with as many private homes as is financially beneficial to developers

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS03** - King's Lynn Area

**CS08** - Sustainable Development

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

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

**DM2** – Development Boundaries

24/00301/O

**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  
Impact on neighbour amenity  
Highway safety  
Flood risk  
Any other matters requiring consideration prior to determination of the application

### **Principle of Development:**

The application site is located at Gaywood, within the King's Lynn Development Boundary. Policy DM2 of the Site Allocations and Development Management Policies Plan (SADMPP) 2016 states 'Development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.'

The current application follows a similar proposal, reference 23/01598/O, which was refused on the grounds of being an unduly cramped form of development that would appear incongruous and would be harmful to the established form and character of the area by virtue of the restricted plot and its relationship with neighbouring dwellings and the wider locality.

Policy CS08 of the Core Strategy states that all new development in the borough should be of high quality and sustainable design.

Policy DM15 of the SADMPP 2016 confirms that development must protect and enhance the amenity of the wider environment including its heritage and cultural value. Proposals will be assessed against their impact on neighbouring uses and their occupants as well as the amenity of any future occupants of the proposed development. Development that has a significant adverse impact on the amenity of others or which is of a poor design will be refused.

The principle of development is considered acceptable subject to compliance with other policies in the plan.

### **Form and Character:**

The application site is positioned to the rear no.52, no.54 and no.56 Wootton Road and comprises amenity land serving the properties.

24/00301/O



Wootton Road is characterised by a mixture of property types including two-storey detached and semi-detached dwellings constructed from a variety of materials including red brick, render or cladding. Most properties have narrow gardens which extend to a considerable depth.

Properties within Wootton Road are positioned in a linear form with dwellings fronting the road. Some dwellings have front gardens which also provide off road parking.

The application seeks outline permission with all matters reserved. Matters such as access, appearance, landscaping, layout and scale would have to be fully assessed through a Reserved Matters application should outline planning permission be granted. However, whilst the layout is indicative only at this stage, the plot size in relation to the current dwellings, parking arrangements and the locality can be assessed as an indication of how a development could possibly be accommodated on the site.

Paragraph 131 of the NPPF states that states that the creation of high quality, beautiful and sustainable buildings and places is fundamental to what the planning and development process should achieve. Good design is a key aspect of sustainable development, creates better places in which to live and work and helps make development acceptable to communities.

The site is currently amenity area albeit with a sizeable part given over to a parking area and an outbuilding. Properties in the area generally have amenity areas provided by narrow but long rear gardens. Whilst the proposed layout is only indicative, the proposed development would leave the occupiers of three properties, nos. 52-56, with private amenity areas of some 25 sq m. The indicative plan shows one proposed dwelling with a private amenity area of some 60 sq m and the other proposed dwelling with a private amenity area of some 100 sq m.

It is considered that the extent of private amenity space indicated to be retained for 52, 54 and 56 Wootton Road would be insufficient. Amenity space can be a difficult term to define but a sense of its meaning can be derived by considering amenity space as space for comfort, convenience or enjoyment or as a social and recreational space. Areas of some 25 sq m would simply be too small to provide sufficient amenity to a standard terrace house. Each amenity space indicated for the host dwellings would be only marginally larger than a single parking space. Whilst the areas proposed would be of a sufficient size to sit out in and perhaps dry washing, no other use would seem practical. The spaces proposed are considered too small for children to play in. Sitting out in the areas proposed would either have to be done with no sense of privacy or would have to be within a relatively confined space with no real outlook.

The siting of two dwellings on the site would also not be in keeping with the existing pattern of built forms of the area, where dwellings are served by lengthy gardens extending to the east. The positioning of two new dwellings in this locality would result in back land development which would be out of keeping with the existing built form of Wootton Road. In terms of townscape, the proposal would not follow the grain of development in the area. Overall, the proposed development appears cramped and contrived and at odds with the built form of the surrounding area. The site is also considered to not be capable of providing a sufficient amount of amenity space for future occupants together with occupants of existing dwellings. As such the proposal does not comply with Policy CS08 of the Core Strategy, Policy DM15 of the SADMPP and or the provisions of the NPPF, especially as set out at paragraph 128 at points d) and e) and at paragraphs 131 and 139.

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

The full details regarding impact on neighbour amenity would be fully assessed at reserved matters stage. However, whilst indicative at this stage, the plan raises concern regarding an acceptable neighbour relationship.

The plan indicates each one of the two dwellings would have a footprint of some 36 sq m. Although as this is an outline application this is an indicative layout. An annotation to the plan refers to cartshed style dwellings. Eight roof lights are shown on the indicative plan. These features to the submission suggest that accommodation above ground floor, at the least roof level accommodation, would be required to achieve a satisfactory extent of accommodation for the proposed dwellings. However, it is accepted that all matters are reserved within the application and therefore such features are indicative.

It is therefore thought to be a reasonable concern that the proposal would have the ability to overlook the existing properties located to the northwest or southeast. The proposed dwellings could also appear as overbearing built form, especially from the rear garden of 5 Leonard Close and rear gardens of properties to Wootton Road to the south of the site.

With regard to the amenity of future occupiers, the proposed dwellings would look onto a shared parking and turning area, described below, which in terms of noise and other vehicular disturbance and general quality of outlook is considered unsatisfactory.

Insufficient evidence is provided within this submission to mitigate these concerns and it is considered that the development would lead to an unacceptable relationship contrary to Policy DM15 of the SADMPP or Policy CS08 of the Core Strategy.

### **Highway Safety:**

The proposed dwellings would be accessed off Wootton Road utilising the existing access.

The plan provided indicates that the existing access would be widened to 4.5m wide and a shared parking and turning area would be provided for the proposed dwellings and for no.52, no.54 and no.56.

The Highway Authority has confirmed that it has no objection to the principle of development. However, the applicant would need to provide an appropriate design at a reserved matters stage to address the following points in accordance with the adopted standards:

- i) Visibility splays (2.4m x 43m)
- ii) Access (minimum 4.5m width)
- iii) Parking provision in accordance with adopted standard.
- iv) Turning

The plan submitted shows that one parking space would be provided for each proposed dwelling with one space provided for no.52, no.54 and no.56. Policy DM17 states that one space per new dwelling would be the minimum standard for a one-bedroom unit. Given that all matters, such as design and number of bedrooms to the proposed dwellings, are reserved matters, it cannot be stated with certainty that the proposal is contrary to Policy DM17. However, the limited number of parking spaces to be provided reinforces the overall impression of the proposal as a whole being cramped development to a contrived design insofar as any design is set forward.

**Flood Risk:**

The application site is located within a flood zone 1 meaning that the site has the lowest probability of flooding from rivers and the sea. The proposal is considered acceptable with regard to flood risk and therefore complies with Policy DM21 of the SADMPP.

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

Previous very limited archaeological investigations either side of the proposed development have produced Late Saxon, post—medieval and significantly very rare Middle-Saxon pottery sherds. The presence of Middle Saxon artefacts here is potentially significant and could indicate a rare Middle Saxon settlement site. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

Given that the site is of archaeological interest, if permission were to be granted, conditions would be required ensuring that an archaeological written scheme of investigation is carried out prior to any works commencing along with a site investigation and post investigation being carried out. The proposal in this regard would comply with Policy CS12 of the Core Strategy and the NPPF.

**CONCLUSION:**

The proposal, due to the context of the plot, the restricted size of the site and its relationship with neighbouring dwellings and the wider locality, would result in an unduly cramped form of development that would appear incongruous, be harmful to the established form and character of the area, and provide an unacceptable level of amenity space for occupiers of the host dwellings. It would not be high quality development as required by National Planning Policy Framework. As such the proposal is contrary to Policy CS08 of the Core Strategy and Policy DM15 the Site Allocations and Development Management Policies Plan.

The current scheme has not overcome the previous reason for refusal because its design has changed insufficiently; in the current scheme host dwellings have very slightly more amenity space but at the expense of parking provision.

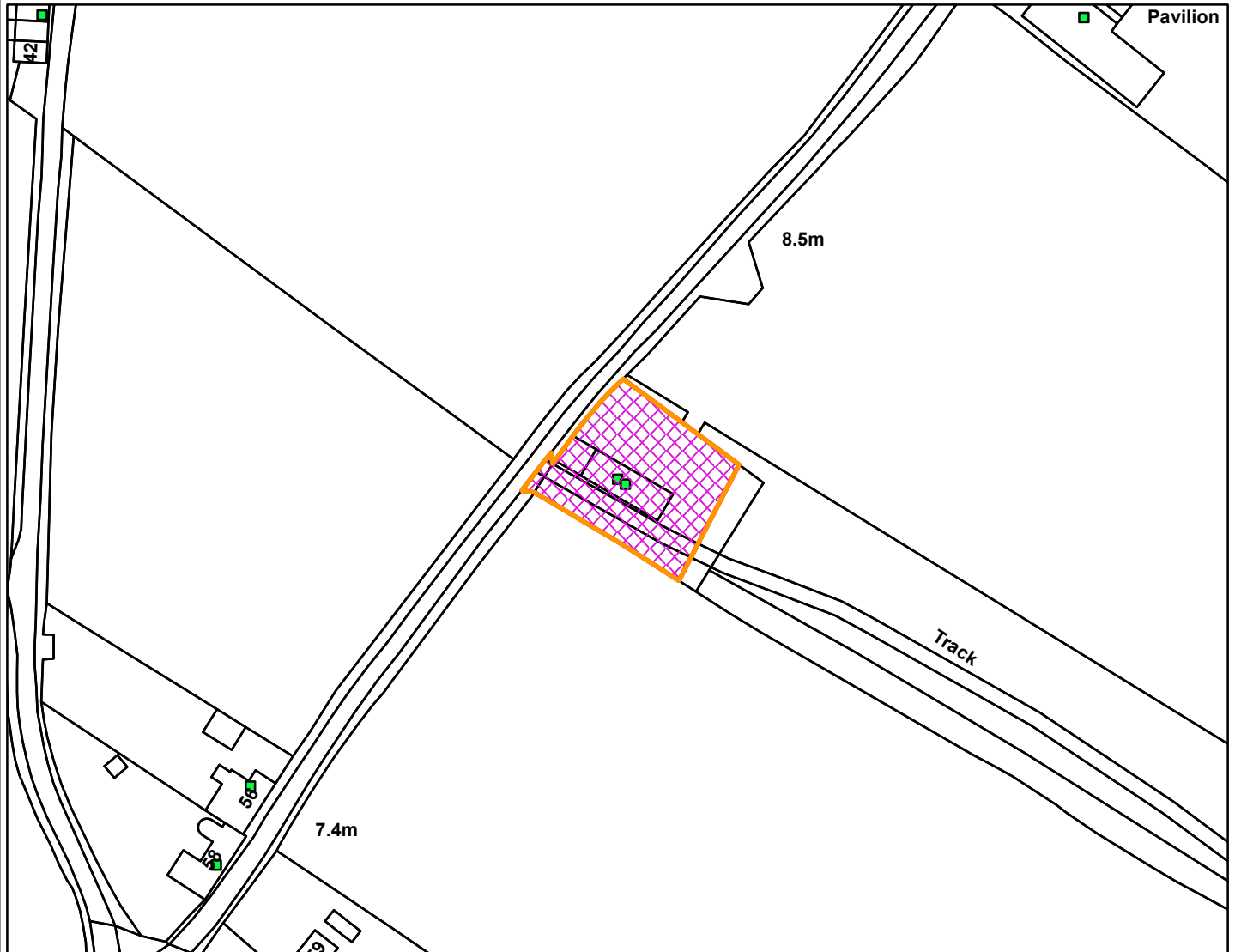
**RECOMMENDATION:**

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

- 1 The proposed dwelling(s) would result in an unduly cramped form of development that would appear incongruous and would be harmful to the established form and character of the area by virtue of the restricted plot and its relationship with neighbouring dwellings and the wider locality. The development would also provide an unacceptable level of amenity space for occupiers of 52, 54 and 56 Wootton Road and is therefore contrary to Policy CS08 of the Core Strategy, Policy DM15 of the Site Allocations and Development Management and the provisions of the National Planning Policy Framework especially at paragraph 131.



Waterfall Barn 49 Hovells Lane Northwold Thetford IP26 5LX



Legend

**Scale:** 1:1,250

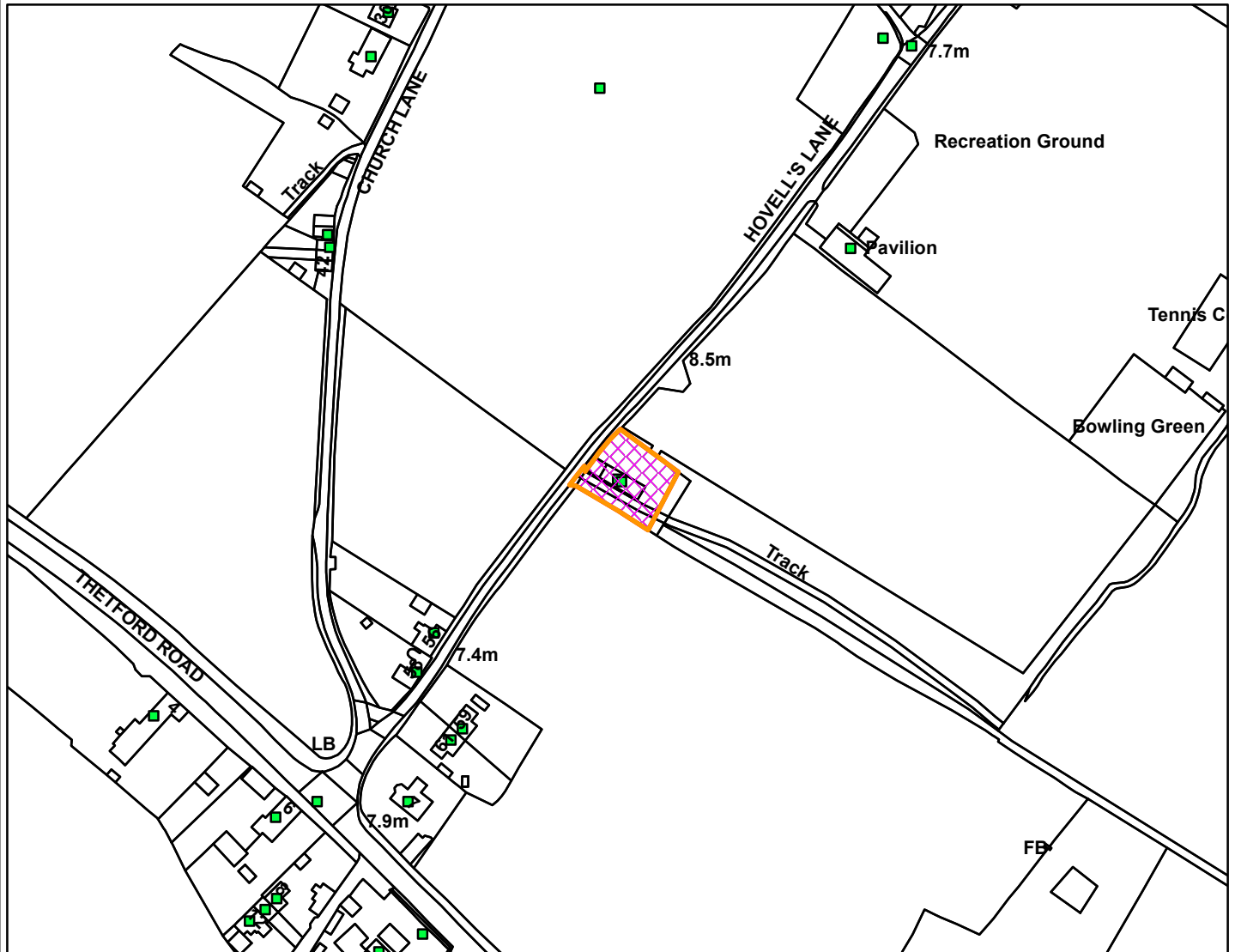
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



Waterfall Barn 49 Hovells Lane Northwold Thetford IP26 5LX



**Legend**

[Empty legend box]

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>Northwold</b>	
<b>Proposal:</b>	<b>Conversion and extension of barn to create a dwelling</b>	
<b>Location:</b>	<b>Waterfall Barn 49 Hovells Lane Northwold THETFORD IP26 5LX</b>	
<b>Applicant:</b>	<b>Michelle Lee</b>	
<b>Case No:</b>	<b>23/01545/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Bradley Downes</b>	<b>Date for Determination: 9 November 2023 Extension of Time Expiry Date: 12 April 2024</b>

**Reason for Referral to Planning Committee** – Referred to Planning Committee by Sifting Panel

**Neighbourhood Plan:** No

**Case Summary**

The application is for conversion and extension to the existing barn to create a dwelling. Permission has previously been granted under 16/00795/F for conversion of the barn without extension and this permission is extant as development was lawfully commenced. The site lies outside of the development boundary of Northwold with a curtilage approximately 764sqm agreed under the extant planning permission. The site is surrounded by open countryside. A strip of approximately 2.5m high hedging lies along the site frontage of Hovells Lane which provides some visual screening from the north-west.

**Key Issues**

- Principle of development
- Form and character
- Ecology
- Other material considerations

**Recommendation**

**REFUSE**

## THE APPLICATION

The application is for conversion and extension to the existing barn to create a dwelling. Permission has previously been granted under 16/00795/F for conversion of the barn without extension and this permission is extant as development had lawfully commenced. The site lies outside of the development boundary of Northwold with a curtilage approximately 764sqm.

The site benefits from an existing access onto Hovells Lane to the north-west. The site lies approximately 190m to the southwest of the main built-up edge of Northwold. Buildings can be seen on the site on the tithe map dated approximately 1837 to 1845. As such the building is considered to be a non-designated heritage asset. The site is surrounded by open countryside. A strip of hedging with a height exceeding approximately 2.5m is situated along Hovells Lane to the north-west of the building which provides some visual screening from the north-west.

## PLANNING HISTORY

23/01027/F: Application Refused: Delegated Decision: 13/10/23 - RETROSPECTIVE: siting of a static caravan related to the approved barn conversion under planning ref 16/00795/F, residential store, and outbuildings associated with commercial dog breeding.

16/00795/F: Application Permitted: Delegated Decision: 14/07/16 - Conversion of an existing agricultural store (barn) to single storey dwelling

## RESPONSE TO CONSULTATION

### Parish Council: OBJECT

Is the previous consent extant?

Is lighting compliant with previously agreed ecological mitigation?

Proposal considered to be overbearing and not in keeping with location.

Proposed materials are not suitable for the location.

barn contains bats.

**Local Highway Authority (NCC): NO OBJECTION** - subject to conditions to implement access, parking and turning provisions prior to occupancy and ensure adequate parallel visibility splay across site frontage

**Ecology Officer: NO OBJECTION** - subject to condition requiring works outside of stone curlew breeding season, and additional information in relation to external lighting and internal light spill particularly from the glazed link. In addition, stronger boundary hedgerows should be provided.

**King's Lynn Internal Drainage Board: NO OBJECTION** - advice offered on Byelaw issues.

**Natural England: NO OBJECTION** - standing advice in relation to GIRAMS

**Environmental Health & Housing - Environmental Quality: NO OBJECTION** - suggest condition regarding unexpected contamination.

23/01545/F

Planning Committee  
8<sup>th</sup> April 2024

## **Conservation Officer: OBJECT (verbal)**

Due to its age and traditional materials the existing building is considered a non-designated heritage asset. Would not object to the principle of a conversion with some form of extension as there is merit in retention of the traditional barn. However, the current scheme does not respect the characteristics of the existing building. Proposed materials are not appropriate, particularly composite cladding. In addition, the large footprint of the extension would dominate views from the north-west and does not let the original barn take precedent.

If committee are minded to approve, it is recommended that conditions to secure suitable materials and a schedule of repairs to the building are imposed on any decision.

## **REPRESENTATIONS**

**SIXTEEN** items of correspondence received raising **OBJECTION** on the following summarised grounds:

- Existing barn is derelict
- no compliance with conditions 5 and 6 of original permission requiring ecological mitigation prior to commencement
- Application form ticked no for protected and priority species on the site which is contrary to previous assessments.
- potential for lighting to deter bats and other wildlife.
- Development would degrade the local biodiversity.
- Proposal would not be masked from the SPA by existing development as required by Policy CS12 of the Core Strategy 2011.
- extension would be dominant rather than subordinate to the barn.
- Design would not be in-keeping with the surrounding area.
- Large extension would adversely affect the setting of the Conservation Area.
- Proposal will spoil the open landscape.
- Proposal materials are inappropriate.
- Original conversion specified red clay pantiles whereas the new application proposed slate. this is worse in terms of appearance and ecology.
- Extensive compound has been established without planning permission to the rear.
- Inappropriate development on greenfield land.
- Hovells Lane cannot accommodate additional traffic.
- Concerned over lack of foul drainage at present.

## **LDF CORE STRATEGY POLICIES**

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS12** - Environmental Assets

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

**DM2** – Development Boundaries



**DM5** – Enlargement or Replacement of Dwellings in the Countryside

**DM15** – Environment, Design and Amenity

## **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

## **PLANNING CONSIDERATIONS**

The main considerations in determining this application are as follows:

Principle of development

Form and character

Ecology

Other material impacts

### **Principle of development:**

The land use principle for the development of a dwelling on this site has already been established by previous planning application ref: 16/00795/F, which has lawfully commenced and is therefore considered to be a part implemented and extant planning permission, which carries weight as a realistic fallback consideration. This proposal is an amended design for conversion and extension of the barn to create a larger dwelling. As such, the proposals will be considered against the extant and realistic fallback position with the principle of development being already established.

### **Form and character:**

The key Development Plan policies involved in assessing this application are as follows:

Policy CS06: Development in Rural Areas requires development to maintain local character and a high-quality environment, and in the countryside, the strategy will be to protect the countryside for its intrinsic character and beauty.

Policy DM5: Enlargement or Replacement of Dwellings in the Countryside - applies to the enlargement of dwellings in the countryside which states proposals will be approved where the design is of a high quality and will preserve the character or appearance of the street scene or area in which it sits. Schemes which fail to reflect the scale and character of their surroundings or which would be oppressive or adversely affect the amenity of the area or neighbouring properties will be refused. This policy is considered relevant as the extant permission allows for a dwelling to be created by conversion of the barn.

The existing barn can be seen on the tithe map and is considered a non-designated heritage asset. The approved application which was lawfully commenced: (16/00795/F) retained the single storey barn and utilised the footprint of the original building (approximately 97sqm), without extension. The existing chalk walls were retained with replacement of the corrugated metal roof with a traditional red clay pantile roof. The conversion and extension proposed remains single-storey, but extends the footprint of the dwelling by more than double the original floor space to approximately 200sqm. Furthermore, proposed materials including a slate roof and composite plastic cladding are unacceptable in the context of the Non-Designated Heritage Asset and its setting in the surrounding landscape.

23/01545/F

Planning Committee  
8<sup>th</sup> April 2024

The design of the proposed dwelling is contemporary utilitarian style with composite cladding to the elevations and a slate roof. The glazed link contributes to a contemporary aesthetic. The site benefits from limited vegetation screening views from the north-west. However, the majority of the building is prominent in views to the South / South East of Northwold within the 'Settled Farmland with Plantations' Landscape Character Area as set out in the Kings Lynn and West Norfolk Landscape Character Assessment dated 2007. Policy CS12 of the Core Strategy 2011 states that development should demonstrate that their location, scale, design and materials will protect, conserve and where possible, enhance the special qualities and local distinctiveness of the area.

Paragraph 140 of the NPPF states that Local Planning Authorities should ensure the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme. Officers consider that the extant permission under 16/00795/F is policy compliant and preferable as a fallback to the unacceptable harm created under the current proposals. The excessive scale of the proposed extension, doubling floorspace, together with the inappropriate use of cladding and slate roof tiles would cause irreparable damage the character of the simple chalk barn. This harm is exacerbated by the prominence of the application site and unacceptable impact of an expansive roofscape and inappropriate contemporary materials in the approaches to Northwold. By contrast, the approved extant planning permission retains and converts the barn utilising historically appropriate roofing materials and appropriately retains the intrinsic character of the Non-Designated Heritage Asset. The landscape impact of the extant scheme is therefore limited and appropriate to the context its setting. As such the fallback position given by the extant permission is preferred to the current inappropriate and harmful proposals.

Irrespective of any fallback position, the proposed development is considered at odds with the non-designated Heritage Asset in terms of materials, scale and would result in an unacceptable harm to the character of the undesignated heritage asset and local landscape character. Third party correspondence has raised concern that the proposal would adversely affect the setting of the Northwold Conservation Area. The boundary of the Conservation Area is approximately 200m to the north of the site and due to this separation distance it is considered the development would not have any significant impact on the setting of the Conservation Area. However, it is considered the proposal would be easily visible from the public realm and would have an adverse impact upon the rural setting of the building. The development would be contrary to Policies CS06, CS12 and DM5 & DM15 of the Development Plan which seek to preserve or enhance the character of areas and would be contrary to the NPPF.

### **Ecology:**

The European Habitats Directive (as amended) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Regulations 2017 (as amended) and any derogation is regulated and overseen by a system of licensing administered by Natural England.

The Local Planning Authority is required to have regard to the requirements of the Habitats Directive in the exercise of its functions. The previously approved application 16/00795/F provided bat surveys dated September 2018 which concluded that bats were making use of the building as part of a commute or for foraging, however evidence of roosting was limited. It was concluded the barn was of low value to local bat populations. These bat surveys are

now considered out of date, but as set out below, it is considered no further survey is required for the purposes of this planning application.

While development had commenced approximately June 2019, the site has remained relatively untouched since, with the exception of the siting of mobile homes and various outbuildings to the rear of the site. Notwithstanding, development could lawfully recommence any time and therefore it is considered a substantial fallback position exists in relation to impacts on bats such that it would not be reasonable to insist on further surveys for this application. This does not alleviate the developer of their responsibilities under the Countryside & Wildlife Act or the Habitats Directive and as a worst case scenario, a bat license is likely to be required by Natural England in advance of works being undertaken.

The site lies in relatively close proximity to the Breckland SPA/SAC, however given the small scale of the development it is considered subject to conditions to ensure appropriate lighting, provide additional soft landscaping and construction hours outside of stone curlew breeding season there would be no significant direct impacts on the integrity of the habitats site. The proposed development would result in some increased recreational disturbance as set out within the GIRAMS guidance which is considered to be mitigated by having secured the appropriate mitigation fee.

Overall, it is considered the proposed development would not give rise to any significant issues in relation to impacts on protected species to the extent that is relevant to planning control given the established fallback position. The proposal would therefore comply with Policy CS12 of the Core Strategy 2011 with respect to biodiversity.

**Any other material considerations:**

The site benefits from an existing access onto Hovells Lane. It is considered the development would not result in any significant adverse impact on highway safety subject to conditions recommended by the Local Highway Authority to provide on-site parking and turning areas prior to occupancy and adequate visibility splays across the site frontage.

A mobile home has been situated on land to the rear of the site which falls within the remit of permitted development while the extant permission is being carried out. Remaining outbuildings to the rear are unlawful and subject to potential enforcement action following refusal of planning permission under 23/01027/F.

There are no nearby residential neighbours who would experience any significant impacts as a result of this development.

Third party correspondence and the comments received by the Parish Council have raised concern that mitigation measures set out within the ecology survey submitted as part of the discharge of pre-commencement conditions under 16/00795/F have not been implemented, in particular the lighting strategy. The agent has clarified that since commencement of development, no further works have taken place to the building and no lighting has been set up. As such, the mitigation measures may still yet be implemented in accordance with the approved scheme prior to works re-commencing. Any works including mobile home and outbuildings taking place to the rear of the barn are not subject to the ecological mitigation measures and these unauthorised elements are being dealt with by planning enforcement.

A third party has also raised concern regarding foul drainage. While the application is recommended for refusal, in the event of approval there would be a condition to ensure adequate foul drainage is provided.

## **CONCLUSION**

The proposed dwelling is considered to be significantly larger than the extant conversion approved under 16/00795/F and its design and appearance is out of context with the character and appearance of the existing building and its countryside setting. The fallback position of converting the existing barn without extension is considered to be a sympathetic development and the proposal would represent a materially diminished scheme in terms of its design quality. The proposal therefore fails to accord with the provisions of the NPPF, Policies CS06, CS08 & CS12 of the Core Strategy (2011) and Policies DM5 & DM15 of the SADMPP (2016). It is duly recommended for refusal for the reason stated below.

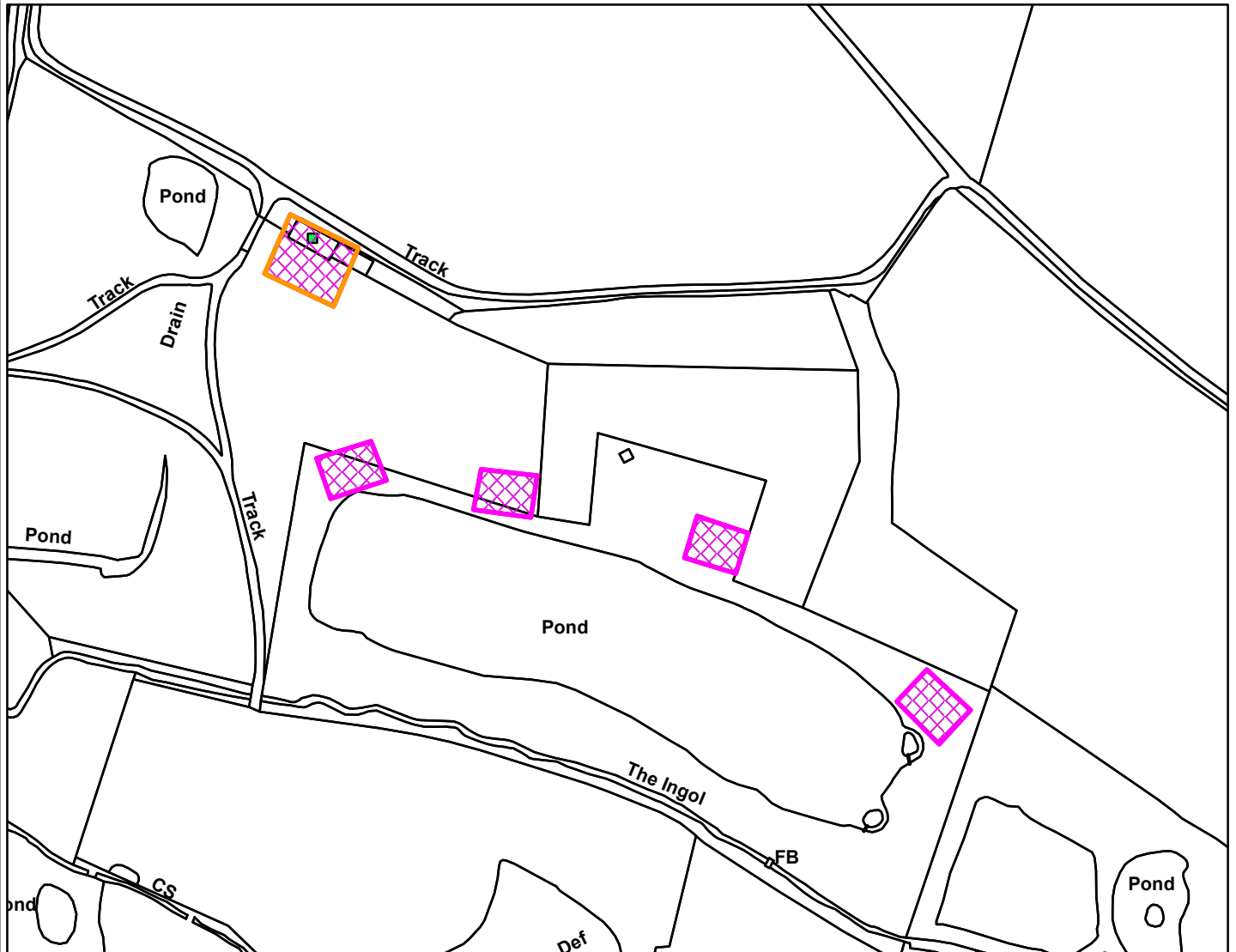
## **RECOMMENDATION:**

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

- 1 The proposed conversion and extension of the barn is considered to be significantly larger and unsympathetic compared with that previously approved and its design and appearance is out of context with the historic traditional chalk barn and its landscape setting. The extant planning permission 16/00795/F provides a preferred and policy compliant development as set against the current non-compliant and harmful proposals. The proposal therefore conflicts with Policies CS06, CS08 & CS12 of the Core Strategy (2011) and Policy DM5 & DM15 of the SADMPP (2016). The quality of the proposal would also be materially diminished from the approved development contrary to Paragraph 140 of the NPPF.



Deer Park East of St Thomas Lane Snettisham PE31 6SR



**Legend**

[Empty legend box]

**Scale:** 1:2,500

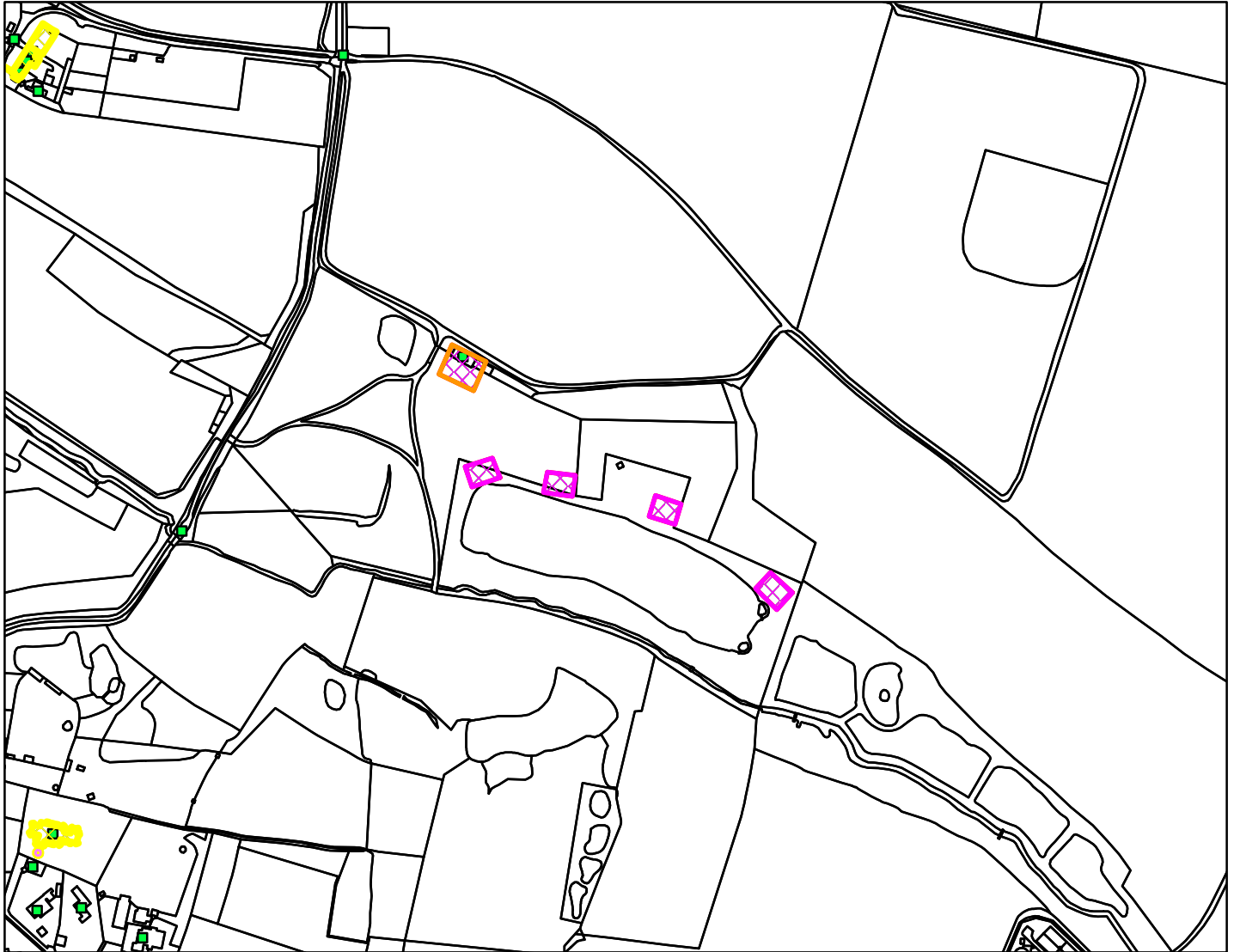
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



Deer Park East of St Thomas Lane Snettisham PE31 6SR



**Legend**

[Empty legend box]

**Scale:** 1:5,000

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

**AGENDA ITEM NO: 9/2(e)**

<b>Parish:</b>	<b>Snettisham Ingoldisthorpe</b>	
<b>Proposal:</b>	<b>Change of use of land from Deer Park to Deer Park incorporating four modular cabins, together with associated infrastructure, and alterations to, including change of use of, an existing barn to serve as an arrivals building and facilities hub associated with those cabins and a lap pool.</b>	
<b>Location:</b>	<b>Deer Park East of St Thomas Lane Snettisham Norfolk PE31 8RZ</b>	
<b>Applicant:</b>	<b>Stanton Farms Ltd</b>	
<b>Case No:</b>	<b>23/01819/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Lucy Smith</b>	<b>Date for Determination: 28 December 2023 Extension of Time Expiry Date: 12 April 2024</b>

**Reason for Referral to Planning Committee** – Referred by Sifting Panel

**Neighbourhood Plan:** Yes

**Case Summary**

The proposal seeks permission for the change of use of land from a deer park to incorporate the creation of four modular cabins together with associated infrastructure, and alterations, including the change of use of, an existing agricultural barn to serve as an arrival building and facilities hub and the creation of an outdoor swimming pool.

The application is located outside of the defined settlement boundary for Snettisham which is classified as a Key Rural Service Centre within Policy CS02 of the Core Strategy, therefore, the site is considered as countryside in policy terms.

The site lies at the southern end of Park Farm and is currently used as a deer park. Extending to just under 8ha, the site is a large field bounded to the north by an arable field, to the south by further deer park fields, St Thomas's Lane to the west and, to the east, further agricultural fields.

The site is approximately 750m from the main built extent of Ingoldisthorpe to the southwest, and approximately 1km from Snettisham Park Farm to the northwest.

The application site is within the Snettisham Neighbourhood Plan area and Neighbourhood Plan Policies therefore apply.

**Key Issues**

Principle of Development  
Form and Character

Impact on Neighbour Amenity  
Highway Safety  
Flood Risk  
Ecology and Biodiversity  
Other Material Considerations

**Recommendation**

**APPROVE**

**THE APPLICATION**

The proposal seeks permission for the change of use of land from a deer park to incorporate the creation of four modular cabins, together with associated infrastructure, and alterations, including the change of use of, an existing agricultural barn to serve as an arrival building and facilities hub and the creation of an outdoor swimming pool.

The application is located outside of the defined settlement boundary for Snettisham which is classified as a Key Rural Service Centre within Policy CS02 of the Core Strategy, therefore, the site is considered as countryside in policy terms.

The site lies at the southern end of Park Farm and is currently used as a deer park. Extending to just under 8ha, the site is a large field bounded to the north by an arable field, St Thomas's Lane to the west and to the east, further agricultural fields.

The site is approximately 750m from the main built extent of Ingoldisthorpe to the southwest, and approximately 1km from Snettisham Park Farm to the northwest.

The application has been submitted following Committee's consideration of application 23/00367/F on 31st July 2023, where members voted to refuse the previous application following discussion on the impacts on the countryside as a result of the overly contemporary nature of the previous design. The decision notice for the previous application was never released, as the Agent chose to withdraw the application to allow them to consider the scheme and re-apply. This application has sought to resolve the issues previously identified by Planning Committee and as such the application has been submitted with revised design.

Four modular cabins are proposed, two larger family units and two smaller 'couples cabins' units. Compared to the previous application, the cabins remain contemporary in character however have reduced expanses of glazing, would use natural timber cladding in place of the previously proposed black charred cladding, and would have pitched roofs more typical to the locality. A landscaping scheme has also been provided, and details can be conditioned, which show how each pod would fit within the landscape and around the existing pond (redundant agricultural reservoir). The cabins will be brought to site pre-constructed and sited on pads of compacted stone.

The application also proposes alterations and extensions to the existing barn to provide an arrivals hub. The hub would provide a reception point and provide various on-site facilities for guests including space for spa treatments, a lounge and a gym. Outside, provision will be made for cycle hire and parking, a sun terrace and a small lap swimming pool. Parking for 6 vehicles is proposed to the east of the arrivals hub, with 8 cycle spaces also provided immediately adjacent to the entrance to the building.



The hub would be contemporary in design, with a mix of charred and natural cladding. Louvres and roof overhangs will provide some screening for the glazing proposed on the south elevation.

Access to the site is proposed via St Thomas's Lane and is used by existing traffic for the Deer Safari vehicles. An agricultural track would allow access to the parking area proposed to the east of the barn.

The application has been supported by a Business Plan and Landscape Vision Document. The Landscape alterations proposed include additional woodland and wildflower 'blocks' within the blue land area across the application site as shown within the Landscape Masterplan document. This additional landscape would complement the proposed use of the cabins whilst also shielding softening their appearance within the landscape.

## **SUPPORTING CASE**

This application is a resubmission of an application made in late 2023 (ref 23/00367/F) and seeks planning consent for the siting of four architect-designed cabins and the conversion of an existing barn to provide an 'Arrivals Hub'.

It is proposed to site 2 x 'family cabins' (suitable for up to four persons) and 2 x 'couples cabins' (suitable for up to two persons), with the cabins located within the existing deer park at Snettisham. The proposal includes substantial areas of new landscaping within the park and utilises the existing site access.

In considering the previous application the Planning committee made it clear that the applicant should address two areas of concern:

- Firstly, meet with and discuss the proposal with the neighbouring landowner who, in objecting to the proposal, raised concerns regarding potential impacts on landscape and amenity.
- Secondly, address the Planning Committee's concerns regarding the design of the proposed cabins – with specific comments citing concerns over the contemporary appearance of the proposed units.

This resubmitted application positively addresses both of these matters. As requested, the applicant has met with the neighbouring landowner and there is now no objection from that party.

With regards design, the external appearance of the proposed cabins has been entirely reworked. The contemporary, cuboid shape and charred timber exterior finish of the cabins previously considered by members of Planning Committee have been replaced by a more traditional form (pitched, standing seam metal roof finish) and natural finish timber cladding.

The cabins and conversion of barn to provide an arrivals area represent a small-scale, high quality diversification project for this existing rural business and, with sympathetic design and an extensive landscaping scheme, it is considered that the developed will enhance the landscape and character of the area, as well as bring jobs and economic opportunities for local businesses. The application form notes that 2 full time jobs would be created to support the operations on site.

This is an application to which no consultee or neighbour has objected to, and the applicant has been pleased to enjoy positive feedback from the council's planning officers during the pre-application process and throughout this submission. The applicant welcomes the officer

recommendation for approval, and respectfully invites members of the Planning Committee to endorse that position and approve this application.

## **PLANNING HISTORY**

23/00367/F: Application Withdrawn: 31/08/23 - Change of use of land from Deer Park to Deer park incorporating four modular cabins, together with associated infrastructure, and alterations to including change of use of, an existing barn to serve as an arrivals building and facilities hub associated with those cabins and a lap pool. - Deer Park East of St Thomas Lane – COMMITTEE DECISION

14/00016/CUPD: Prior Approval - Refused: 28/11/14 - Change of use from agricultural building to dwellinghouse and associated operational development - Agricultural Building, St Thomas Lane – Delegated Decision

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

**16.11.2023** – ‘Snettisham Parish Council wish to recommend refusal on the above application on the grounds that the access roads around the area are currently not adequate for current traffic let alone more.’

*Please note: Whilst Snettisham Parish Council updated their comments on 16.12.2023 to state ‘No Comments’ following receipt of the Local Highway Authority’s response on 5.12.23, no response was received as to whether their later response was intended to remove their previous objections. For the purposes of the Scheme of Delegation, the Parish Council objection therefore still stands.*

**Highways Authority: NO OBJECTION** subject to conditions relating to the provision of improvements to the surrounding network/formation of passing bays and other standard conditions relating to access and parking.

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

**Natural England: NO OBJECTION** subject to GIRAMS mitigation being secured.

**Public Rights of Way: NO OBJECTION**

**Historic Environment Service: NO OBJECTION** subject to conditions relating to archaeological mitigatory work in accordance with the NPPF.

**Ecologist: NO OBJECTION** Recommended conditions relating to submission of a scheme to advise of ecological sensitivities of the site, external lighting, hedgerow removal, installation bird and bat boxes.

## **REPRESENTATIONS**

**KLWN Bicycle Users Group** provided a letter in support due to cycle friendly accommodation provide on National Cycle Route 1 – requested cycle parking shown on the proposed plan is secured by condition.

## **LDF CORE STRATEGY POLICIES**

**CS01** - Spatial Strategy

**CS02** - The Settlement Hierarchy

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS11** - Transport

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

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

**DM2** – Development Boundaries

**DM11** – Touring and Permanent Holiday Sites

**DM15** – Environment, Design and Amenity

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

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy NP04** – Permanent Homes Modified Supporting Text, Policy and associated Community Aim

**Policy NP05** – Materials and Design

**Policy NP09** – Natural Environment

## **NATIONAL GUIDANCE**

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

## **PLANNING CONSIDERATIONS**

**The main considerations are:**

- Planning History
- Principle of development
- Design and Impact on the Countryside
- Impact on neighbour amenity
- Highway safety
- Flood risk

- Any other matters requiring consideration prior to determination of the application

## **Planning History**

This application is the resubmission of a previous scheme which was discussed by Members at Planning Committee on 31st July 2023 however was ultimately withdrawn prior to a decision being issued. Members at the time discussed the merits of the application, including the following key points:

- Overlooking into neighbouring open land - used for habitats/biodiversity not a residential dwelling. Request by Members for the Applicant to discuss with adjoining landowner.
- Proposed pods inappropriate for the rural/open agricultural setting, due to contemporary/industrial nature & Para 184(c).
- Sustainability of site due to travel distance to nearest visibility, and suitability of highway network
- Request for restricting numbers to only allow the four cabins
- Discussion on Park Farm's impact on tourism, and farm diversification - benefits of encouraging rural businesses to expand

Ultimately, the Planning Committee proposed refusal based on design and appearance of the buildings (Para 184(c)) and impact on countryside, therefore not sustainable, harm does not outweigh positive benefits to tourism.

Whilst the Planning Committee voted for the application to be refused contrary to the officer recommendation, however no decision was issued as the Agents withdrew the application prior to the decision notice being released.

Members did not at the time of the previous application raise concern on Highway Safety grounds, which was the reasoning behind the Parish Council's objection on the previous application and also the basis for their objection on this application. The Local Highway Authority continue to raise no objection to the scheme subject to off-site highway improvement works to formalise passing bays.

## **Principle of Development:**

The application seeks change of use of land from Deer Park to Deer park incorporating four modular cabins, together with associated infrastructure and alterations. An existing barn is to serve as an arrivals building and facilities hub associated with those cabins and a lap pool.

The application site is positioned outside of the defined settlement boundary for Snettisham and is therefore considered as countryside in policy terms. However, the main village is identified as a Key Rural Service Centre within Policy CS02 of the Core Strategy and therefore has a level of services and facilities available for visitors.

Policy NP04 of the Neighbourhood Plan states that second homes/holiday homes should be avoided within the main village. This application site is some distance from the main village and considered therefore to comply with the aims of this policy. As a specific holiday site, the proposals will be subject to conditions restricting their use to holiday lets only.

Snettisham is considered capable of accommodating limited growth of a scale and nature appropriate to secure the sustainability of each settlement.

The site is not located within the Norfolk Coast National Landscape nor the Conservation Area however the proposal is subject to countryside protection policies as a result of its position in the wider countryside as per policy DM2.

The proposed layout incorporates four cabins for holiday let use, along with associated infrastructure and the change of use of the existing agricultural barn to become a welcome hub for guests and the creation of a lap pool. The red line area has been set around each cabin, which reduces the overall land take proposed to change use to leisure/holiday let purposes and reduces the overall impact on the current undeveloped character of the wider site. The extent of blue land means that planning conditions can control implementation of a detailed landscaping scheme.

The existing agricultural barn located towards the north boundary of the land parcel would become a welcome hub for guests and would also incorporate amenities such as toilets, showers, a seating area and an outdoor lap pool located to the south of the barn.

The application site would utilise an existing access off St Thomas Lane with parking for guests located at the proposed welcome hub. The proposal also includes the provision of numerous passing bays along St Thomas Lane as an off-site highway improvement work.

The four modular cabins would be located to the east of the site along the existing agricultural reservoir.

The site forms part of an existing business consisting of agriculture and tourism and is within the countryside. The proposed change of use would result in farm diversification which is supported by Policies CS06 and CS10 of the Core Strategy 2011.

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

- It should be located in or adjacent to our villages and towns;
- It should be of a high standard of design in line with national guidance;
- Will not be detrimental to the landscape;

Policy DM11 of the Site Allocations and Development Management Policies Plan (SADMPP) states that 'Proposals for new holiday accommodation sites or units or extension or intensification to existing holiday accommodation will not normally be permitted unless:

- The proposal is supported by a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses in the area;
- The proposal demonstrates a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity and the historical and natural environmental qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed.
- It is in accordance with national policies on flood risk.
- The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough Council's Strategic Flood Risk Assessment and the Environment Agency's mapping;

Small scale proposals for holiday accommodation will not normally be permitted within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) unless it can be demonstrated that the proposal will not negatively impact on the landscape setting and scenic beauty of the AONB or on the landscape setting of the AONB if outside the designated area. ‘  
Norfolk Coast Area of Outstanding Natural Beauty is now the Norfolk Coast National Landscape.

The application has been submitted with a supporting Business Plan which confirms how the site would be managed and states what amenities would be provided for guests on site as well as listing businesses and facilities within the locality. The park is proposed to offer luxury glamping facilities and will offer minimum two-night breaks in cabins which would provide for self-catering accommodation. On site treatment rooms would be available for guests and would be operated by a local company. The business plan sets out that the site will be managed 24/7 by the owners as an expansion to the existing business as Snettisham Park Farm.

The business plan confirms how the proposed development would support and operate alongside the existing tourism provision at Snettisham Park Farm which is within walking distance from the site. The application form notes that an equivalent of 2 full time jobs would be created to support the operations on site. The business plan expands on this to state that staff on site would include a full-time receptionist/front of house as well as opportunities for a cleaner, personal trainer and beauty specialist.

The site is also surrounded by footpaths leading to the centre of the village which is located approximately 1.4 miles to the north and is host to a range of facilities including shops, pubs and restaurants. Therefore, the proposed development is considered to comply with policies CS10 and DM11 of the Local Plan.

The proposed welcome hub and cabins are of a sensitive and modest scale which are considered to be of an acceptable design. Given that the site is well screened from St Thomas Lane, the cabins would not be visible from the street scene, therefore, the development would not have a harmful impact on visual amenity or the surrounding landscape. Overall, the proposed development is considered to comply with Policy DM11 of the SADMPP, Policies CS06 and CS10 of the Core Strategy 2011, and Policy NP04 of the Snettisham Neighbourhood Plan.

### **Design and Impact on the Countryside:**

The design of the proposal was the key reason for Members voting to refuse the proposal, with the previous contemporary/industrial design considered to lead to adverse impacts on the countryside and therefore not meet the requirements for sustainable development.

The cabins proposed under this application would be relatively small, modular structures and would be arranged to provide 2 x single units (‘Couples Cabin’, with 1 bedroom, 1 bathroom and kitchen/lounge area) and 2 x double units (‘Family Cabin’ providing 2 bedrooms and a bathroom , kitchen and lounge).

The Agents have amended the plans prior to this resubmission which indicates the cabins to have smaller footprints and make use of more natural materials.

The previously proposed larger family cabin was approx. 66sqm in size, made up of two 9mx3m sections and a central link. The proposed application’s family cabins are a total of 30sqm. The smaller couples cabins are also reduced, from 27sqm to 22sqm.

Whilst still contemporary in design, the cabins have a toned-down approach which is softer and less industrial compared to the previous submission. The pitched roofs and natural timber cladding proposed would allow the pods to better blend into the surrounding landscape. By reason of their small-scale sympathetic design and naturally finished external materials, the proposed design is not considered likely to lead to harm to the countryside setting.

Conditions can be utilised to control the submission of material details as well as proposed landscaping plans within the Applicant's land surrounding the cabins.

The scheme also proposes the refurbishment and modest extension of the existing redundant barn to provide a communal 'Arrivals Hub'. This hub would provide the greeting point for new guests and serve as an on-site facility for use by guests at the cabins. As such the building accommodates space and changing areas for spa treatments, a lounge area and a small gym area. Outside, the Hub would provide cycle hire and parking for the cabins, a sun terrace and a lap pool. The design of the hub follows the contemporary approach of the cabins however includes a mix of both charred and natural timber cladding, an anthracite grey standing seam metal roof and large areas of glazing concealed beneath generous roof overhangs and timber louvres.

Whilst not in the National Landscape, the impact of dark skies on the landscape has been considered as part of this application. The large expanses of glazing would lead to some light spill on the surrounding area, however considering the louvres combined with the set back of the glazing behind an overhang/side walls and roof overhang, the impact of lighting on the character of the countryside is not considered to warrant refusal of the application. An external lighting condition could be used to control construction/installation of further lighting to ensure it meets certain standards.

Conditions are also recommended to ensure the Arrivals Hub is only used by guests and not open to the general public as a result of its position in the wider countryside.

The development is considered to comply with Policies CS06, CS08, CS12 and DM15 of the Local Plan and Policies NP05 and NP09 of the Neighbourhood Plan in regard to design and impact on the countryside and the National Landscape.

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

The previous application drew objection from a neighbouring property in regard to privacy – the adjacent landowner was concerned that the tourism use would be detrimental to privacy on his land holding. No such objection was received as part of this application, and the supporting documents suggest separate discussion has taken place with this landowner however this is unconfirmed.

The distances between the proposed cabins and arrivals hub from surrounding sensitive uses (in excess of 200m from site boundaries to the nearest residential properties) are considered appropriate to mitigate any impacts, and as the wider site is currently utilised as part of the deer park for safari tours etc, the limited increase in traffic movements to/from site would not lead to any significant adverse impacts on residential amenity.

A landscape masterplan has been provided which outlines various planting areas (wildflower planting and tree planting) which could control impacts between units whilst also screening parts of the holiday use from view from surrounding land. Conditions could be used to require full details of landscaping prior to occupation.

The proposal is therefore considered unlikely to lead to adverse impacts on residential amenity and complies with Policies CS08, DM11 and DM15 of the Local Plan and Policy NP05 of the Snettisham Neighbourhood Plan.

### **Highway Safety:**

The site would be accessed via an existing agricultural track leading east off St Thomas Lane. The access is already used by the regular deer safari tours which are operated by the Deer Park attraction. This tour involves a tractor and trailer entering and exiting the site via the same access around 8 times per day. There is also a secondary vehicle access located off St Thomas Lane and is utilised by Members of a small fishing syndicate who park in the field adjacent St Thomas's Lane.

The application is supported by details of highway improvement works which are deemed necessary to provide for safe highway access along St Thomas' Lane which is of limited width with no formal passing provision. The Local Highway Authority raise no objection to the proposal on condition that these highway improvement works take place in accordance with detailed schemes to be agreed in writing.

The passing bay provision can be conditioned, and conditions can also dictate the details to include replacement hedging etc where possible for the areas where the highway verge needs to be extended. This would prevent harm to the countryside character.

The public right of way located to the north of the site (Snettisham Bridleway 14) would not be affected as a result of the development and would remain open and accessible for the duration of the development as requested by the Public Right of Way Officer.

The Parish Council provided comments concerned over the suitability of the highway network to cater for the proposed use. As noted above, highway improvement works in the form of passing bay provision are proposed as part of this application and will ensure that the surrounding highway network is suitably upgraded prior to the commencement of the use. This approach has been agreed by the Local Highway Authority subject to conditions which control the submission of detailed plans.

The sites impact on highway safety is therefore considered acceptable and accords with the requirements of CS08, CS11, DM11 and DM15 of the Local Plan.

### **Flood Risk:**

This part of the site is located within flood zone 1 which is considered as 'Low Probability' and comprises land as having less than a 1 in 1000 year annual probability of fluvial or tidal flooding (i.e. an event more severe than the extreme 1 in 1000 year event). The proposed development is not at risk of flooding.

The proposal therefore complies with the NPPF (2023) in regards to guiding development to areas at the lowest risk of flooding.

### **Ecology and Biodiversity:**

The application site falls within the Zone of Influence for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS').

The Norfolk GIRAMS identifies a detailed programme of County-wide measures to mitigate against the adverse implications of in-combination recreational impacts on the integrity of the



Habitats Sites caused by new residential development and tourist accommodation. The strategy introduces a per-dwelling tariff to ensure development is compliant with the Habitats Regulations; the collected tariff would fund a combination of hard and soft mitigation measures at the designated Habitats Sites to increase their resilience to greater visitor numbers. The tariff is calculated as a proportionate sum of the full costs of the Norfolk-wide RAMS mitigation package as apportioned to the predicted growth outlined in the Local Plan.

An appropriate assessment was undertaken as part of the previous application and concludes that the GIRAMs fee would be sufficient in mitigating any potential impacts as a result of the proposed development.

A condition would also be added requesting the applicant to provide information regarding the importance of the environmental sensitivity of the site given its location within the Zone of Influence. The scheme of information should include the provisions of a leaflet to all site guests regarding the correct disposal of litter, safe use of firepits, due regard to breeding birds and prohibition of entering fenced off areas.

The Ecology report submitted with the application concludes that the site is assessed as being of value at a parish scale for most biodiversity features and protected species with an overall minor adverse unmitigated impact foreseen as a result of the proposed development. It is considered sufficient avoidance and mitigation measures could be employed to reduce the residual impact to neutral.

Mitigation measures proposed include ensuring a minimum 5m working buffer from retained habitats using Heras fencing, no construction between September or February outside of the breeding bird season to avoid any potential offences relating to breeding birds, no groundworks and mobile plant movement within the roof protection zone of trees.

All these measures could be secured via condition along with conditions relating to external lighting, the installation of bird and bat boxes and a scheme providing information regarding the importance of the environmental sensitivity of the site.

The report also confirms that the existing barn located on the site is not considered to offer potential for roosting bats and no scattered trees were particularly noteworthy with regards to potential roost features.

The Ecologist has reviewed the statement and confirmed no objections to the proposal subject to conditions. Natural England also raise no objection subject to the GIRAMs fee having been secured. The application is therefore considered to comply with the NPPF (2023) and Policy CS12 of the Core Strategy (2011) in regards to biodiversity and protected species.

### **Specific comments and issues:**

Contamination - The application has been submitted with an individual screening assessment for the barn which indicates that it has been used in association with breeding of deer for venison.

The Environmental Quality Team have reviewed their files and confirmed that the site is on land that is first seen with the barn and reservoir present in aerial photography from 1999. The surrounding landscape is largely agricultural.

The use of the site as a hub to serve the occupants of the proposed cabins would not lead it to be more sensitive in regard to land contamination. There are no potential sources of contamination.

Restrictions on use – Conditions are recommended to ensure that the cabins are used for holiday purposes only. Members at the previous committee (31st July 2023) discussed restrictions on numbers, however given the extent of the red line for this application which runs tight to each building, it is not considered necessary to restrict the total number of holiday pods on site. Full planning permission would be required for any expansion in the future.

Cycle Parking – The application indicates the provision of cycle parking bays adjacent to the arrival's hub. Whilst comments from the Kings Lynn Bicycle Users Group are noted, it is not considered necessary to impose conditions requiring specific installation of these cycle stands. The approved plan condition would control 'in accordance with'.

Archaeology - The proposed development lies in close proximity to an area of earthworks of medieval and later field boundaries, ridge and furrow arable and possible buildings. In addition, there is a record of a 'Roman pavement' being found here before 1980 and it has been suggested that a wall found here in 1991 may be part of the vanished medieval St. Thomas' Chapel, suggesting that human burials may be present.

Medieval pottery has also been found previously in the immediate vicinity. Consequently, there is potential that heritage assets with archaeological interest (buried archaeological remains) may be present at the site and that their significance will be affected by the proposed development.

Conditions are therefore recommended to secure a programme of archaeological mitigatory work in accordance with National Planning Policy Framework.

## **CONCLUSION:**

The NPPF reiterates the provisions of Section 38(6) of the Planning and Compulsory Purchase Act 2004 which states that applications for planning permission must be determined in accordance with the development plan unless strong material considerations indicate otherwise.

The application is for the creation of 4 modular holiday let units and an associated arrivals hub and has been supported by a business plan and landscape vision document which suggest how the site would operate and how the pods would sit within the rural landscape. This meets the requirements of Policy DM11 of the SADMPP (2016) and Policies CS06 and CS10 of the Core Strategy (2011).

The Local Highway Authority consider that the benefit of formalised passing bay provision along St Thomas's Lane would outweigh the very limited harm resulting from any increase in traffic, and the scheme is therefore considered to comply with highways policies such as Paragraph 110 of the NPPF (2023) and Policy DM15 of the SADMPP (2016).

The proposed development is considered to be of an acceptable scale, design and form. The proposal is not considered to have a detrimental impact on residential amenity and is sufficiently distanced from the National Landscape to minimise potential impacts. The changes which took place between the previous submission and this application are considered to have resulted in a more appropriate design which takes better account of the local vernacular and form of rural buildings. The smaller scale cabins with pitched roofs and natural finished cladding are unlikely to pose any significant adverse impacts on the countryside, and the proposed landscaping details further able to reduce adverse impacts.

Overall, the proposed development is considered to be acceptable and complies with policies DM1, DM2, DM11, DM15 and DM21 of the Site Allocations and Development management Policies Plan 2016 and policies CS01, CS02, CS06, CS08, CS10 and CS12 of the Core Strategy 2011 and NP04 (Permanent Homes in the Main Village), NP05 (Materials and Design) and NP09 (Natural Environment) of the Snettisham Neighbourhood Plan.

## **RECOMMENDATION:**

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

- 1 Condition The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition The development hereby permitted shall be carried out using only the following approved plans:
  - Couples Cabin: Floor Plan, Front Elevation, Gable (Front) Elevation, Gable (Rear) Elevation, Rear Elevation, Roof Plan
  - Family Cabin: Floor Plan, Front Elevation, Gable (Front) Elevation, Gable (Rear) Elevation, Rear Elevation, Roof Plan
  - Arrival Hub: dwg No. PP.1000 Rev B
  - Location Plan: dwg No. B.17.118
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
  1. An assessment of the significance of heritage assets present
  2. The programme and methodology of site investigation and recording
  3. The programme for post investigation assessment of recovered material
  4. Provision to be made for analysis of the site investigation and recording.
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation.
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 3 Reason To safeguard archaeological interests in accordance with the principles of the NPPF. This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 4 Condition No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 3.
- 4 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.

- 5 Condition The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 3 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 5 Reason To safeguard archaeological interests in accordance with the principles of the NPPF.
- 6 Condition Prior to the first use of the development hereby permitted, full details of a scheme providing information regarding the importance of the environmental sensitivity of the site shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include provision of a leaflet to all site guests regarding:
- The correct disposal of litter
  - Due regard to breeding birds
  - Safe use of firepits
  - Prohibition of entering fenced off areas.
- 6 Reason In the interests of protecting ecological sensitive features of the locality in accordance with Paragraph 180 of the NPPF and local planning policy CS12.
- 7 Condition All external lighting associated with the proposed development shall be installed and maintained in accordance with the following requirements:
- (i) Fully shielded (enclosed in full cut-off flat glass fitments)
  - (ii) Directed downwards (mounted horizontally to the ground and not tilted upwards)
  - (iii) On a motion timer or similar (i.e. no dusk to dawn lamps)
  - (iv) LED luminaries to be used wherever possible
- 7 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.
- 8 Condition No removal of hedgerows, trees, shrubs or brambles 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 Local Planning Authority confirming that any nesting attempts are concluded and any chicks in nests have fledged.
- 8 Reason In the interests of preventing harm to protected species in accordance with the NPPF (2023).
- 9 Condition The development hereby permitted shall not be occupied until a minimum of 4No. bat and 4No. birds boxes or integrated alternative are installed within the blue line boundary in accordance with the details outlined within Section 6.5 of the Ecological Impact Assessment submitted as part of this application. Locations of these enhancement measures should be guided by a competent ecologist. 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.

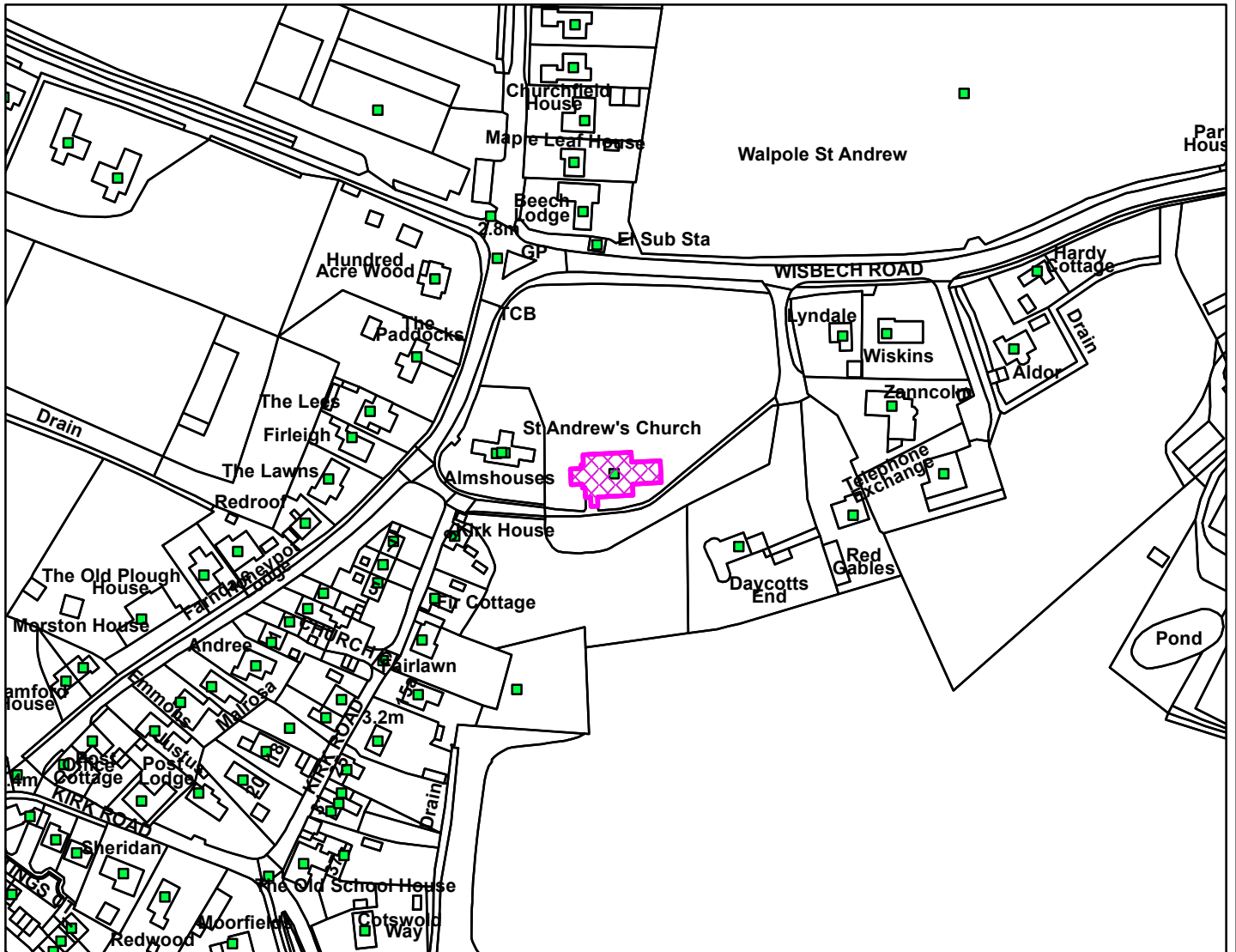
- 9 Reason In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Paragraph 180 of the NPPF and local planning policy CS12.
- 10 Condition Prior to the first use of the development hereby permitted the proposed on-site car parking/servicing/loading/unloading/turning/waiting area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety in accordance with the NPPF (2023).
- 11 Condition Notwithstanding the details submitted as part of this application no works above slab level shall commence on site unless otherwise agreed in writing by the Local Planning Authority until detailed drawings for the off-site highway improvement works (passing bay formalisation) have been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In the interests of highway safety in accordance with the NPPF (2023).
- 12 Condition Prior to the first occupation of the development hereby permitted the off-site highway improvement works referred to in condition 11 shall be completed to the written satisfaction of the Local Planning Authority.
- 12 Reason In the interests of highway safety in accordance with the NPPF (2023).
- 13 Condition Notwithstanding the details that accompanied the application hereby permitted, no development shall take place on any external surface of the development until the type, colour and texture of all materials to be used for the external surfaces of the 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.
- 13 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 14 Condition Notwithstanding the details shown on the landscape plan, dwg No. UDS64650-A1-02001 Revision A received 8th March 2024, prior to the first use of the development hereby permitted, full details of both hard and soft landscape works shall be submitted to and approved in writing by the Local Planning Authority. These details shall include hard surface materials, refuse or other storage units and other minor artefacts. Soft landscape works shall include planting plans for the proposed tree planting and wildflower/shrub planting indicated to take place on the submitted landscape plan, 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.
- 14 Reason To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF.

- 15 Condition All hard and soft landscape works shall be carried out in accordance with the 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.
- 15 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 16 Condition The arrivals hub and associated facilities shown on dwg No. 2213 PP.1000 Rev B hereby approved shall only be used in association with the occupation of the holiday lets hereby approved and not for separate or unassociated purposes.
- 16 Reason For the avoidance of doubt and to prevent adverse impacts which could occur if the use were to be unrestricted, in accordance with Policies DM11 and DM15 of the Local Plan.
- 17 Condition The accommodation hereby approved shall be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets.
- 17 Reason The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.
- 18 Condition The accommodation shall be for short stay holiday accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence; and the owners / operators shall maintain an up-to-date register of lettings/occupation and shall make this available at all reasonable times to the Local Planning Authority
- 18 Reason The site lies within in an area in which the local planning authority would not normally permit permanent residential development. This permission is granted because accommodation is to be used for holiday purposes only in accordance with the NPPF.





Church of St Andrew Kirk Road Walpole St Andrew PE14 7LL



**Legend**

[Empty legend box]

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



<b>Parish:</b>	<b>Walpole</b>	
<b>Proposal:</b>	<b>Installation of a replacement floor</b>	
<b>Location:</b>	<b>Church of St Andrew Kirk Road Walpole St Andrew Norfolk PE14 7LL</b>	
<b>Applicant:</b>	<b>The Churches Conservation Trust</b>	
<b>Case No:</b>	<b>23/02139/LB (Listed Building Application)</b>	
<b>Case Officer:</b>	<b>Lynette Fawkes</b>	<b>Date for Determination:</b> 1 February 2024 <b>Extension of Time Expiry Date:</b> 26 April 2024

**Reason for Referral to Planning Committee – Councillor Blunt Call-in**

**Neighbourhood Plan: No**

**Case Summary**

This listed building consent seeks permission for a replacement of part of the floor of the nave of the Church of St Andrew following the removal of the existing floor in an area close to the chancel over 10 years ago.

The Church of St Andrew is a Grade I listed building.

**Key Issues**

Impact upon the significance of the Grade I listed Building

**Recommendation**

**APPROVE**

**THE APPLICATION**

The Church of St Andrew was listed Grade I under the Planning (Listed Buildings and Conservation Areas) Act 1990 as amended for its special architectural or historic interest on 10th August 1951 with the following description;

Parish church. C15 with some re-used earlier details. Bequests date 1443 for nave, 1463 for porch, 1504 donation of lead. Restored 1811 and 1897. Tower restored 1902. West tower, nave, aisles and chancel. Brick tower with ashlar dressings, remainder rendered brick and ashlar. Lead roods. 3 stage tower with angle buttresses to belfry. Arched west door below

hood mould. To left a cusped ogeed statuary niche, to right a lean to plain tiled chamber built through buttress, probably an anchorite cell. Arched door to west, lancet to north and 2-light cusped window to south in buttress. 2-light Perpendicular panel tracery west window with embattled transom. String course between ringing chamber and belfry. Cusped lancet to south. 2-light belfry windows with ogee reticulation units. Crenellated parapet with ashlar corner pinnacles. Stair tower to south-east entered through external arched door and terminates in polygonal turret. Nave aisles supported by stepped buttresses, angled at corners. 3 2-light arched and transomed aisle windows north and south, the transoms with crenellations. Similar 2-light aisle west windows and 3-light east windows. Gabled south porch with angle buttresses. Arched moulded entrance with circular responds.

Embattled parapet terminating in panelled ashlar corner pinnacles enlivened by crockets and finials. Porch with slate roof. Arched inner door with hood on labels. Low arched and moulded north aisle door. Clerestory of 8 2-light renewed Perpendicular windows between each of which rise pilaster strips interrupted by bell-moulded annulations. Octagonal rood stair turrets to north and south with roll moulded edges and spirelets. 3 bay chancel with stepped side buttresses, angled to east. 3 3-light windows with cusped arches below panel tracery. Crenellated parapet. 3-light east window of 1897 : wide central light ogeed below indeterminate tracery pattern of general Perpendicular character.

Interior. 4 bay arcade of lozenge piers with continuous hollow mouldings and rolls to north and south. Rolls continue as colonnettes to rise from spandrels and apexes of arches framing clerestory windows and supporting wall posts of C19 roofs. Roof of arched braces to moulded principals. 2 tiers butt purlins and ridge piece. Tall stilted tower arch on polygonal responds. Chancel arch on piers panelled to south. Round arched rood stairs north and south, the latter below fan vaulted rood screen corbel. 2-light window over chancel arch. Aisle roofs-as nave. Chancel with cusped piscina within square surround and cusped spandrels. South nave chapel piscina composed of 4- centred arch on engaged columns within fleuron studded square surround below crenellated hood.

Double aumbry in south nave wall, repeated on north. C17 tower gallery with balustrade supported on arched braces : turned balusters below plain handrail. On hand rail cast iron palmettes and alternating finials. Octagonal C15 font, the bowl carved in panels of quatrefoils and shields. C17 pulpit with carved arcading and interlacing circles in top frieze, the whole standing on sandstone plinth of C15. Over tower arch painted Royal Arms of George III.

This listed building consent application seeks to replace a part of the floor which was removed over 10 years ago in order to facilitate investigations into the cause of significant damage to the building caused by moisture ingress.

Given the amount of moisture ingress, further investigations are required to determine whether the replacement floor is to be a temporary structure or a permanent replacement.

## **SUPPORTING CASE**

The applicant has submitted a number of supporting documents with the application which details what investigations have taken place to date and why the works to determine the cause of damp had stalled until this application.

## **PLANNING HISTORY**

2/02/0919/LB - Blocking up of doorway – APPLICATION PERMITTED –08.07.2002

## **RESPONSE TO CONSULTATION**

There were three rounds of consultation on this application following 3 submissions of new information and a change of description. The description was changed in the third round of consultation.

### **Parish Council:**

Following the third round of consultation:

The Walpole Parish Council agreed to support this application with the proviso that it is agreed that a new floor is in situ within the next 24 months

### **Historic England:**

First response Received 19.12.2023

Thank you for your letter of 12 December 2023 regarding the above application for listed building consent.

Historic England provides advice when our engagement can add most value. In this case we are not offering advice. This should not be interpreted as comment on the merits of the application.

We suggest that you seek the views of your specialist conservation and archaeological advisers. You may also find it helpful to refer to our published advice at <https://historicengland.org.uk/advice/find/>

It is not necessary to consult us on this application again, unless there are material changes to the proposals. However, if you would like advice from us, please contact us to explain your request.

Second and third responses received 03.01.2024 and 07.03.2024

Thank you for your letter of 4 March 2024 regarding further information on the above application for listed building consent. On the basis of this information, we do not wish to offer any comments. We suggest that you seek the views of your specialist conservation adviser.

It is not necessary for us to be consulted on this application again, unless there are material changes to the proposals. However, if you would like detailed advice from us, please contact us to explain your request.

### **Norfolk County Council – Historic Environment Service:**

First response received 15.12.2023

Thank you for consulting us about the above planning application.

St Andrew's church is a late 15th century building which contains a little earlier reused material. There is evidence of medieval occupation in this immediate area, so there may have been an earlier church on this site. As churches were normally constructed adjacent to medieval or earlier manorial or estate centres, or in areas of medieval or earlier settlement

23/02139/LB

Planning Committee  
8<sup>th</sup> April 2024

there is potential that heritage assets with archaeological interest (buried archaeological remains, especially human burials and evidence for earlier church buildings) may be present at the site and that their significance will be affected by the proposed development.

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

A) 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 and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.

and,

B) No development shall take place other than in accordance with the written scheme of investigation approved under condition (A).

and,

C) The development shall not be put into operation 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 (A) and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.

In this instance the programme of archaeological mitigatory work will comprise one phase – the monitoring of groundworks for the development under archaeological supervision and control.

A brief for the archaeological work can be obtained from Norfolk County Council Historic Environment Service. Please note that we now charge for our services.

3 rounds of consultation – First 2 rounds description of development was ‘To remove a section of the nave floor and investigate the condition of the chancel roof and external renders’

Second response received 05.01.2024

Thank you for consulting with us about this amended application. We have no comments to make regarding the amendments.

If you have any questions or would like to discuss our recommendations please contact the Historic Environment Strategy and Advice Team on 01362 869278 or hep@norfolk.gov.uk

**Ward Member:**

Response Received 12.12.2024

Good afternoon Hannah

I want the above application to go to Planning Committee

Following the third round of consultation and change of description:

I attended the Walpoles Parish Council meeting last evening.

23/02139/LB

Planning Committee  
8<sup>th</sup> April 2024

Although they were pleased with the revised application, the consensus of opinion was that they would like me continue the call in of the application

So to that end please arrange for the application to continue to come to planning committee.

## REPRESENTATIONS

Round one of consultation 12.12.2023

**TWENTY SEVEN** Representations by members of the public were received – all stating an objection. The concerns received included;

- There is no mention of a replacement floor
- This is a retrospective application and they should be made to put the floor back
- No meaningful reasons given by the applicant as to why the floor cant be put back
- Without the floor at least a quarter of the floor space is unuseable for events
- No evidence of the supposed monitoring is visible – did it ever take place?

Round two of consultation 02.01.2024

**NINE** Representations by members of the public were received – **EIGHT** objections, **ONE** in support. The concerns included;

- Still no mention of a replacement floor of either a temporary or a permanent nature
- The timeline for the restoration of a floor should be provided

Round three of consultation following the change of description and further information 04.03.2024

**FOUR** representations by members of the public were received – **ONE** objection, **ONE** support and **TWO** neutral. The concerns received included;

- This is good news but time restraints are required
- Is the floor to be temporary or permanent. This needs to be known.
- Temporary floor should be down in 1 year and a time line for a replacement with a permanent floor should be provided.

## LDF CORE STRATEGY POLICIES

**CS12** - Environmental Assets

## SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

**DM15** – Environment, Design and Amenity

## NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

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

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

23/02139/LB

Planning Committee  
8<sup>th</sup> April 2024

## **PLANNING CONSIDERATIONS**

### **The main considerations are:**

- Impact upon the Heritage Asset

### **Impact on the Heritage Asset:**

The Church of St Andrew is a Grade I listed building, the fabric of which mainly dates to the 15th century but it could have earlier origins as there are a number of reused bits of material and, the Historic Environment Record gives evidence for medieval settlement in the area.

The list description, given in full earlier in this report, states that the church was 'restored' in the 19th century namely in three phases, 1811, 1897 and 1902. The floor which is the subject of this application, seems, within the area concerned to be of one of these 19th century restoration dates. From a section of the portion of floor that has been removed, it is constructed of a hardcore layer, a cement or bitumous layer then stone tiles.

It is in the care of the Churches Conservation Trust. It is used for worship on a limited number of days per year but has an active and caring Friends Group who run events and raise awareness of the building in the community and beyond.

The church has suffered from moisture ingress from both above and below ground. The stonework within the arcades are showing significant signs of salts and erosion which has taken place due to some atmospheric conditions which are affecting its ability to remain in a stable condition. The scientific reasons for this can be read in a number of reports submitted with this application.

For some time, attempts to halt the march of the decay has resulted in the arcades being lime washed and monitored. This has shown that the erosion and decay is ongoing. In 2007, the decision was taken by the Churches Conservation Trust to remove portions of the floor around the two front nave columns and see whether the non-breathable nature of the 19th century floor was causing moisture to rise up the columns to escape the non breathable floor. The removal of the floor would enable further monitoring to take place to see whether it was the floor that was causing the problems. Fundraising for works would then take place. Whilst undoubtedly done with the best of intentions, it has been noted in a number of the public comments that this was undertaken without the knowledge or the grant of listed building consent from the Local Planning Authority.

The Church required a number of years in the same condition before reliable test results could be taken. Unfortunately in 2011 and 2014 a lead theft from the roof meant that a temporary roof needed to be installed which affected the environmental conditions within the building and the results of the moisture testing in the columns would not of given an accurate reading. Since this date, and certainly since the submission of this application, more testing has been undertaken which shows that a floor around these two front columns would not impact upon the structure of the building or the monitoring of the columns. What the test results do not show is whether a temporary floor or a permanent floor would be least harmful.

The Churches Conservation Trust require a further period of time to undertake the research required to determine in what way the floor is to be replaced. A permanent floor would be preferred as this would result in the least impact upon the historic building but, this needs to be installed with materials and to a design which would not exacerbate the erosion causing further decay and issues into the future. A temporary floor across the gaps would enable the

Friends Group and others to use the building for events but this still needs to be constructed in a safe way and so that it does not cause harm to any surviving archaeology or building fabric.

### **Relevant Policies**

CS12 Environmental Assets Green Infrastructure, Historic Environment, Landscape Character, Biodiversity and Geodiversity

Proposals to protect and enhance our historic environment and landscape character, biodiversity and geodiversity will be encouraged and supported.

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.

Policy DM 15 – Environment, Design and Amenity

Development must protect and enhance the amenity of the wider environment including its heritage and cultural value. 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:

Heritage impact;

and

Visual impact.

The NPPF places great emphasis upon the protection and enhancement of our historic and built environment placing it at the heart of sustainable development (paragraph 8)

Paragraph 195 states that Heritage assets are 'an irreplaceable resource, and should be conserved in a manner appropriate to their significance, so that they can be enjoyed for their contribution to the quality of life of existing and future generations.'

Paragraph 205 states 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'.

Paragraph 206 states that 'Any harm to, or loss of, the significance of a designated heritage asset (from its alteration or destruction, or from development within its setting), should require clear and convincing justification.'

Paragraph 208 of the NPPF states that "Where a 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 securing its optimum viable use".

### **CONCLUSION :**

The current application for a replacement floor seeks to address the concerns raised throughout the application process. The principle of a replacement floor in the location proposed is an acceptable one, although the materials and construction of a replacement floor does need to be controlled in order to determine whether the impact upon the historic

fabric of the building and its future stability, would be maintained or enhanced through its provision.

It is therefore considered that this application meets the requirements of paragraph 8, 195, 205 and 206 of the NPPF through seeking to maintain and enhance the fabric of the building for future generations to enjoy. The enhancement of this building through the proposal would consist of the ability of the building to maintain a more stable atmospheric environment to halt or slow down the rate of decay within the fabric of the building.

While the removal of the 19th century floor may have caused some impact upon the completeness of the Victorian floor surface, the replacement of the floor with one which can enable it to continue to be used as a venue for community activities is to be welcomed. Subject to the design of the floor, it is considered that the replacement of the floor in the area of this application, would not cause harm to the significance or historic value of the Church of St Andrew.

### **RECOMMENDATION:**

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

- 1 Conditions: This Listed Building Consent is granted subject to the condition that the works to which it relates shall be begun not later than the expiration of one year from the date of this consent.
- 1 Reason: To comply with Section 18 of the Planning (Listed Buildings and Conservation Areas) Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Conditions: This Listed Building Consent relates only to works specifically shown on the approved drawings listed below. Any other works, the need for which becomes apparent, are not covered by this consent and details must be submitted to the Council as Local Planning Authority and approved in writing, before work continues:
  - Review of the environmental conditions – Submitted 14.02.2024
  - Proposal – Submitted 14.02.2024
  - Paper by Gabriella Misurello – Dated October 2022
  - Floor Removal Plan – Submitted 05.12.2023
- 2 Reason: To ensure a satisfactory standard of works in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 3 Conditions: All works shall be carried out in such manner that no unnecessary damage is caused to the fabric or decorative features of the building, and any damage so caused shall be rectified to the satisfaction of the Local Planning Authority.
- 3 Reason: To ensure that the fabric of the Listed Building is properly protected during the works in accordance with the principles of the NPPF.
- 4 Conditions: None of the proposed works shall be carried out until a full specification and schedule of works and working drawings of the proposed new floor have been submitted to and approved in writing by the Local Planning Authority. The specification, schedule and accompanying drawings shall comply with the conditions of this consent. Any amendment to this specification or to any part of the approved

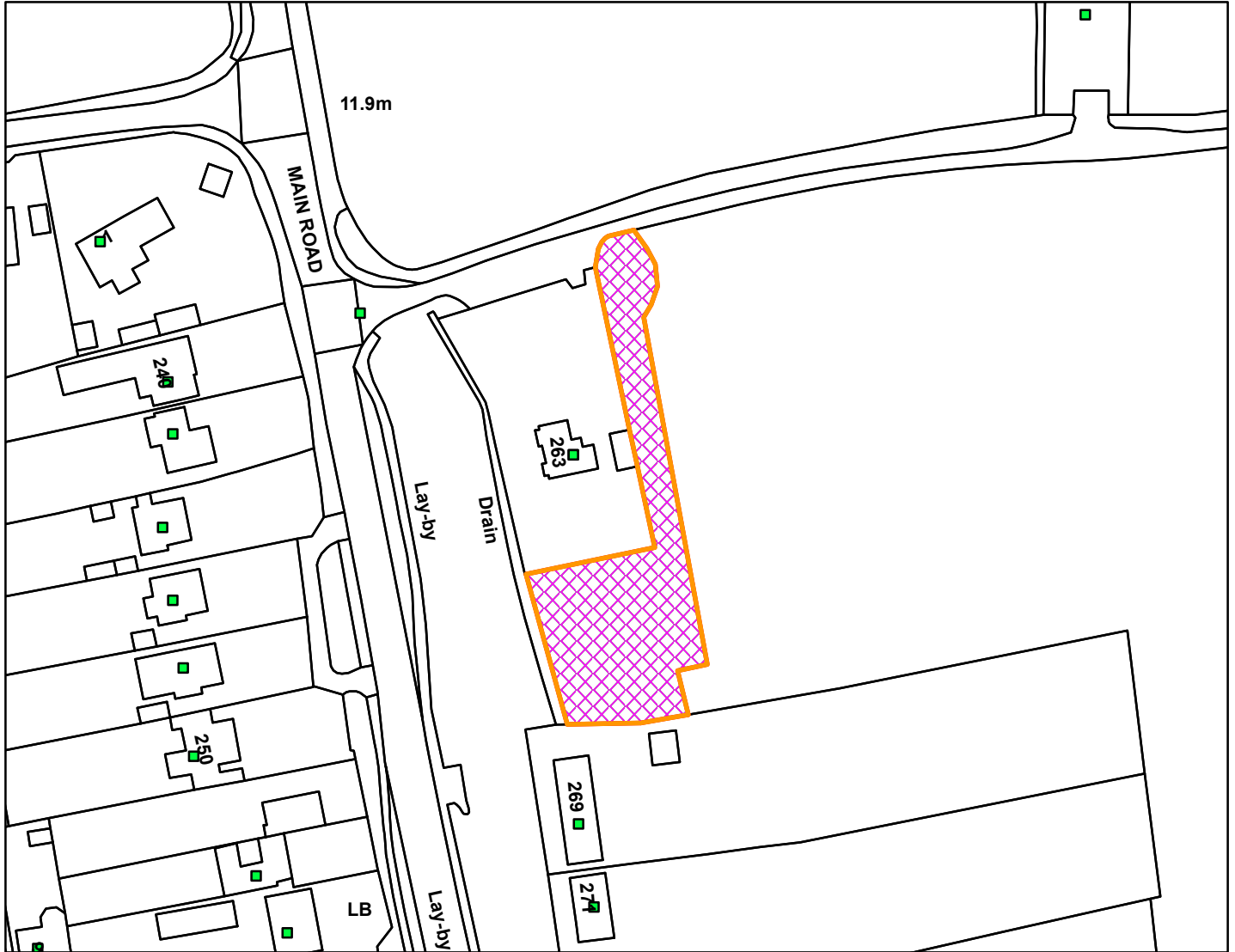


works, including works required by the Building Regulations or shown from a structural survey to be necessary or desirable, shall be approved beforehand in writing by the Local Planning Authority.

- 4 Reason: To ensure that the works are properly controlled in the interests of safeguarding the Listed Building in accordance with the principles of the NPPF.
- 5 Conditions: No development shall take place until a Written Scheme of Investigation for a programme of archaeological works has been submitted to and approved by the local planning authority in writing. The scheme shall include:
  1. An assessment of the significance of heritage assets present
  2. The programme and methodology of site investigation and recording
  3. The programme for post investigation assessment of recovered material
  4. Provision to be made for analysis of the site investigation and recording
  5. Provision to be made for publication and dissemination of the analysis and records of the site investigation
  6. Provision to be made for archive deposition of the analysis and records of the site investigation
  7. Nomination of a competent person or persons/organization to undertake the works set out within the Written Scheme of Investigation.
- 5 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.
- 6 Conditions: No demolition/development shall take place other than in accordance with the Written Scheme of Investigation approved under condition 5.
- 6 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.
- 7 Conditions: The development shall not be occupied until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the Written Scheme of Investigation approved under condition 5; and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 7 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF.



Main Roads/Chequers Lane West Winch Kings Lynn PE33



**Legend**

[Empty legend box]

**Scale:** 1:1,250

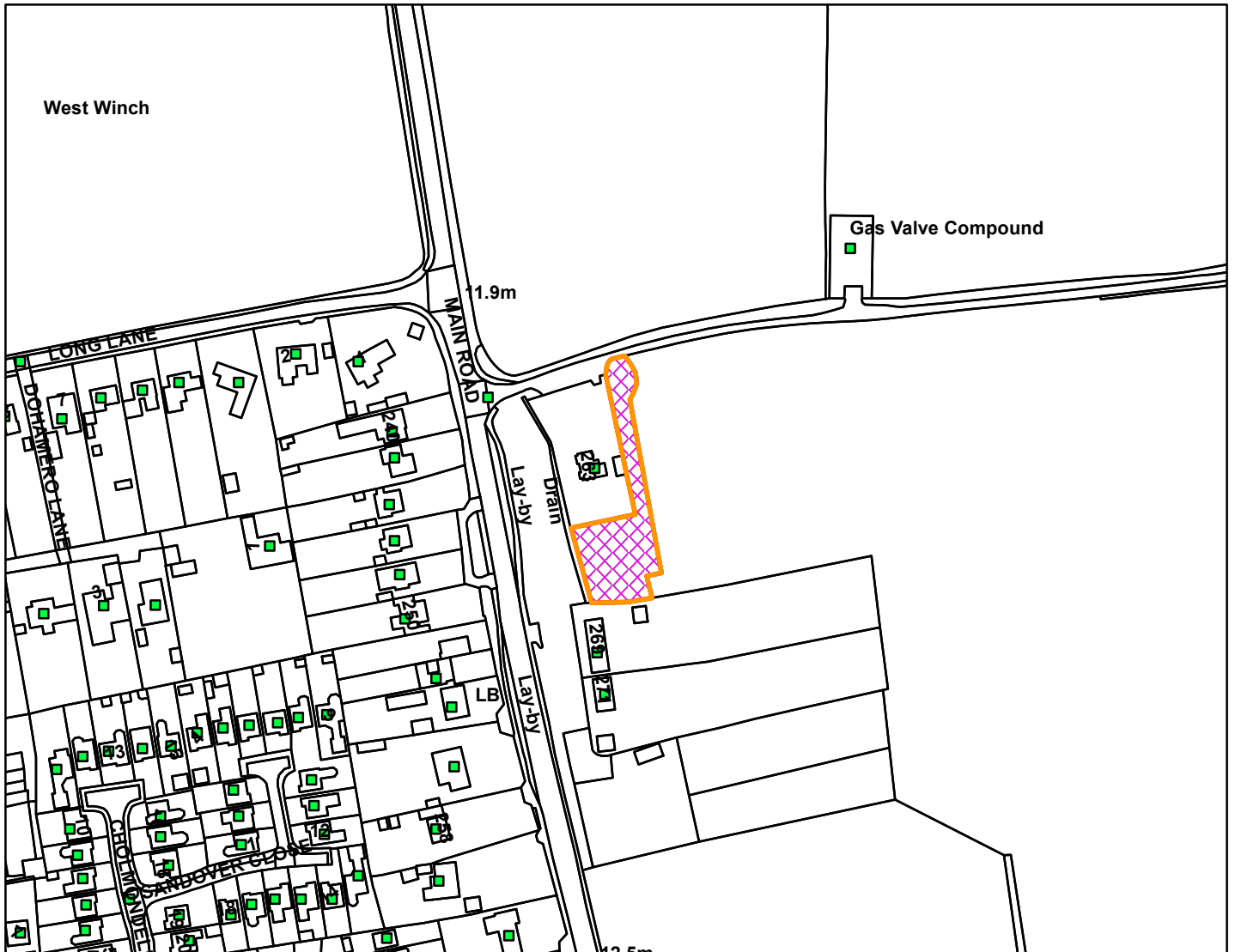
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



Main Roads/Chequers Lane West Winch Kings Lynn PE33



**Legend**

---

**Scale:** 1:2,500

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

## AGENDA ITEM NO: 9/2(g)

<b>Parish:</b>	<b>West Winch</b>	
<b>Proposal:</b>	<b>Construction of 2 no. dwellings complete with garages and associated works</b>	
<b>Location:</b>	<b>Main Roads/Chequers Lane West Winch King's Lynn Norfolk PE33 0NY</b>	
<b>Applicant:</b>	<b>A.S.K. Builders (King's Lynn) Ltd</b>	
<b>Case No:</b>	<b>23/00972/O (Outline Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination: 21 July 2023 Extension of Time Expiry Date: 15 December 2023</b>

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

**Neighbourhood Plan:** Yes

### Case Summary

The application seeks outline planning consent with access only for the construction of two dwellings with garages and associated works. The scale, layout, appearance and landscaping will be determined as part of a later reserved matters application.

The application site is 0.134 ha in area and is currently not utilised but agricultural in form. Land to the rear of the site is used for agriculture, there are existing residential dwellings either side of the site. To the front of the site is an area of common land utilised as green space with a village sign, bench, landscaping and a bus stop is within close proximity.

The application site lies predominantly within the development boundary for West Winch as identified on Local Plan Inset Map No E2. However, the private drive to the rear of the site, required for access to the site, is within the wider land area designated in the adopted Plan as E2.1 (West Winch Growth Area Strategic Policy). While the application site fronts onto Main Road/ the A10, access is proposed via a private drive off Chequers Lane (no access will be provided via the A10).

### Key Issues

Principle of Development  
Form and Character  
Highways/ Access  
Other material considerations

### Recommendation:

**APPROVE**

## **THE APPLICATION**

The application seeks outline planning consent with access only for the construction of two dwellings with garages and associated works. The scale, layout, appearance and landscaping will be determined as part of a later reserved matters application.

The application site is 0.134ha in area, and the density of the scheme would be approx. 15 dwellings per hectare. The site is currently not utilised but agricultural in form, with the land to the rear of the site used for agriculture. There are existing residential dwellings either side of the site. To the front of the site is an area of common land, a public green space with a village sign, bench, and landscaping. There is also a bus stop within close proximity.

The application site lies predominantly within the development boundary for West Winch as identified on Local Plan Inset Map No E2. However, the private drive to the rear of the site, required for access to the site, is within the wider land area designated in the adopted Plan as E2.1 (West Winch Growth Area Strategic Policy). While the application site fronts onto Main Road/ the A10, access is proposed via a private drive off Chequers Lane (no access will be provided via the A10).

The application has been amended several times throughout the application process. The application was originally a full application for two detached dwellings with access via Chequers Lane. The scheme was then amended with access proposed directly off the A10. The scheme was then amended again to an outline application with access via Chequers Lane. Consultations were carried out for each amendment and so the third party representations detailed within the report do vary in response to each iteration.

## **SUPPORTING CASE**

The following summary has been prepared by Sequence (UK) Ltd in support of application 23/00972, which seeks outline planning permission for 2 new homes on a natural infill plot on the eastern side of Main Road, West Winch. The proposal would see the delivery of 2 new family homes. We understand this summary will form part of the committee papers for the meeting of 08 April 2024, and hereafter set out our compelling case as to why outline planning permission should be granted.

The application is brought before planning committee as a result of collaborative working with planning officers and Norfolk County Council as local highway authority. The applicants are pleased to see the application is recommended for approval, reflecting that the proposal is in accordance with both the Local Plan and Neighbourhood Plan and are grateful to the case officer in particular for their work on this application. We are similarly grateful to members of the planning committee for their consideration of this summary.

The site proposed for development lies within the settlement boundary and therefore the principle of residential development is acceptable. The site is an obvious infill fronting Main Road with residential properties to the north and south and the indicative layout submitted for the outline planning application demonstrates the 2 new homes will be in keeping with the character and appearance of the area with no wider visual impact. The new homes will benefit from a good level of residential amenity and will not see any detrimental impact to neighbouring properties.

Further to pre-application discussions with Norfolk County Council Highways, it was agreed that access would be taken from the rear of the site across wider land within the applicant's control, to Chequers Lane. Accordingly, the development would benefit from the existing infrastructure to access to and from the A10 and would not see the need for a new access to

be provided directly onto the A10. This is seen as preferable by the local highway authority with the Chequers Lane access onto the A10 being formed of a bell mouth construction, and is conspicuous, signed and lined, as summarised in their consultation response. Therefore, there is no objection to the development of the site from the local highway authority.

Indeed, it is important to clarify that there is no objection to development of the site from any of the statutory technical consultees.

Access onto Chequers Lane will cross the applicant's land that falls within the wider masterplan area for West Winch. However, this has been carefully designed so that only a small slither of land along the western boundary is used for the 4.5m width access that will not prejudice the delivery of the masterplan or see any loss of capacity. Planning officers are in agreement that this is acceptable.

The proposed access will upgrade an existing field access from Chequers Lane with very limited visual impact and no requirement to remove any trees or hedging.

The applicants have provided indicative drawings of potential future development of the masterplan area within their control to demonstrate that this application will not prejudice that wider delivery. This work has shown that approval of this application would still allow development of the wider masterplan area at the target density and with appropriate provision of open space.

The applicant is committed to working pro-actively with the Council on the future development of the masterplan. In this context the access provision proposed under this application could benefit the masterplan, such as a secondary point of access for emergency vehicles or a walking/cycling link for example that would work well with a downgraded A10 and Chequers Lane. It should also be noted that the area to be provided for the access equates to approximately only 0.00013% of the total masterplan area.

## **PLANNING HISTORY**

None.

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

West Winch Parish Council **OBJECTS** to the planning application 23/00972/F. This is premature development and cannot be approved before the relief road is built and operational. Chequers Lane is a single-track road with poor visibility. Once the relief road is built Chequers Lane will be blocked off stopping through traffic making it much safer.

The North Runcton and West Winch Neighbourhood Plan adopted 2017 states Policy WA01 (Protecting sites of local value) covers the entrance to this site "A8 - The 'rural' sections and features of Rectory Lane, Common Lane, the 'Twisty Twiney', Setch Road and Watering Lane, where mature trees, roadside hedgerows and grass verges are important to local landscape character. Identified in consultation ...." The entrance would be over part of this policy area.

No drainage strategy has accompanied the application. Policy WA045 (Providing sustainable drainage) covers this. The dyke between the proposed dwellings and the Village Sign (A10) is overgrown and additional drainage to this dyke may cause flooding issues. There is

already flooding opposite the proposed entrance during wet conditions due to dykes not being cleaned out. When this land was previously owned by Manor Farm there were drainage issues making the farmer harvest early due to the existing wetness in the soil. Further, the water course drains from North Runcton (West) which is on a high ground down to the East hence this piece of land is the last till the A10 road. West Winch already has surface water and drainage problems, this planning application would add to its issues.

Policy WA09 (Enhancing the A10 road corridor) states that "Development proposals within the A10 shall provide or help to provide the following improvements to that road corridor ....." The junction of Chequers Lane and the A10 is of poor design and almost impossible for vehicles leaving Chequers Lane to turn right towards King's Lynn.

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

With reference to the submitted plan 'Revised indicative block plan V6' and our previous correspondence in relation to this application considering access only at this stage, on balance we would not recommend an objection to the application on the basis the specified conditions.

This application site would take direct access from Chequers Lane which experiences low traffic flows. Chequers Lane joins the A10 just 50m to the west. Given the proximity to the A10 it is assessed that that this highway junction and route would be utilised principally by the development.

An observation of our records finds that there have been no recorded accidents at the A10/Chequers Lane Junction in the past 5 years. This junction is conspicuous, signed and lined for motorists on the A10. The junction has a bell mouth arrangement that would accord with the principles of the current guidance for the level of traffic utilising it. It is noted that this application is for a low level of development at two dwellings only and passing of cars can ultimately be achieved, if necessary, on the short approach to the site from the A10. It is also evident that the applicant has control of lands to achieve a private access onto Chequers Lane to accord with our adopted guidance.

(For information: Direct access from the A10 is not considered to be acceptable at this time as such would ultimately create an additional point of conflict in the form of slowing, stopping, waiting and turning on this part of the Principle Road Network . Our two authority's position on this has been tested at length under numerous planning appeals along this A10 section in the past years and our records indicate that all similar planning appeals have been dismissed by the planning inspectorate.

Chequers Lane is acceptable because the development would initially take direct access from a formal Highway Junction and not a private point of access. These differ for the motorists expectations travelling on the A10, as the junction is more conspicuous due to its scale, its signed and lined, it's of a formal arrangement and motorists would be anticipating the junctions use.)

**Internal Drainage Board: NO OBJECTION**

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

The applicant has provided a screening assessment indicating that there is no known contamination and the sites current use is as a field and paddock for horses. 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 and agricultural. 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.

**Natural England: NO OBJECTION subject to GIRAMS payment**

**Habitats Regulations Assessment - Recreational Impacts on European Sites**

It has been identified that this development falls within the 'Zone of Influence' (ZoI) for one or more of the European designated sites scoped into the Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS'). It is anticipated that certain types of new development (including new tourist accommodation) in this area is 'likely to have a significant effect' on the sensitive interest features of these European designated sites, through increased recreational pressure when considered either alone or 'in combination' with other plans and projects.

The GIRAMS has been put in place to ensure that this additional recreational pressure does not lead to an adverse effect on European designated sites in Norfolk. We advise that a suitable contribution to the Norfolk GIRAMS should be sought from this development to ensure that the delivery of the GIRAMS remains viable.

Natural England's advice is that this proposed development, and the application of these measures to avoid or reduce the likely harmful effects from it, will need to be formally checked and confirmed by your Authority, as the competent authority, via an appropriate assessment in view of the European Site's conservation objectives and in accordance with the Conservation of Habitats & Species Regulations 2017 (as amended).

Site of Special Scientific Interest (SSSI)- Providing appropriate mitigation is secured to avoid impacts upon the European site(s) occurring there should be no additional impacts upon the SSSI interest features.

**Cadent Gas: NO COMMENTS**

If you're contacting us because you want to dig, you will need to register with LinesearchbeforeUdig to process any new enquiries. Please use the following link to log your request - [WWW.LSBUD.CO.UK](http://WWW.LSBUD.CO.UK) Please do not commence with any works until you have received authorisation and guidance.

**Health and Safety Executive: NO OBJECTION**

The Health and Safety Executive does not advise on safety grounds, against the granting of planning permission in this case.

**Community Safety and Neighbour Nuisance: NO OBJECTION subject to condition**

CSNN have no objections to this application subject to a condition being applied to any permission to secure a scheme to protect the dwelling proposed from road traffic noise.

Given that this is an outline permission it is recommended that when full permission is sought a noise survey is completed in compliance with the recommended condition that relates specifically to road traffic noise in order to provide a suitable noise mitigation scheme.

No other conditions or comments are recommended by CSNN.



## **Arboricultural Officer: NO OBJECTION subject to conditions**

No objection in principle. To date the applicant has not fully considered the potential for harm to trees. If consent is granted, conditions should be included for protection of existing trees and for new landscaping to match the revisions, to try and make sure the proposal integrates as much as possible into the local landscape.

## **REPRESENTATIONS**

**FOUR OBJECTIONS** and **ONE NEUTRAL** comment (to the previously proposed scheme with access via A10) received and summarised below –

- Would the access contravene the existing rights of use for the two cottages currently sited on the green?
- Access to the A10 from the green is already problematic, the addition of any further traffic at the site can only further exacerbate an already precarious situation.
- The scheme as submitted previously functions acceptably, using access from Chequers Lane. This is the correct and safe way to access this land.
- Development should not be developed contrary to wider allocation site. Access should tie in.
- Existing farm access from applicant's site onto the village green has not been used for many years and even when used would have been for minor agricultural access.
- The planners need to consider further whether incremental increase in numbers of houses either side of the A10 should progress without the bypass onto the A47. The continued ratcheting up of the numbers of houses without building the bypass as this will continue to stress the current use of the A10. The only way the council can apply any pressure to progressing the new road is an absolute ban on further development till the bypass is opened to force this overdue issue.
- With the existing planning permission for the large number of houses to be built, should consider passing points on Chequers Lane.
- Drainage is an issue; any additional road surface water can only add to the existing problems of gullies at full capacity and not currently maintained. An access across this land would need to bridge over the dyke.
- Objection is made on the use of soakaways on this site as the water table is at ground level with ponding on the site in times of heavy rain in the area around the site of the two proposed dwellings. The dyke referred to above between the site and the green fills with water during heavy rain. The dyke needs to be cleaned out and kept clear to reinstate its full capacity and provide any drainage to the field.
- The area of green space to the front of the site is Common Land forming part of village green which is a public amenity at the entry of the village, on which are located the village sign, bench and trees. Building a road across the green will seriously spoil the use, appearance and safety of the green.

- The design of the two new dwellings is devoid of any architectural merit, sense of the necessary proportion and balance. The dwellings display no vernacular style or use of local materials such as Carstone.
- The air source heat pumps proposed may cause a noise nuisance to existing neighbours. If they are as quiet as claimed, then siting them between the two new dwellings should not be an issue.
- The proposed access needs to be constructed of a surface that does not create additional noise, (gravel) the road needs to have drainage as the field currently flows into neighbouring garden.
- The border of the properties needs to be walled or fenced to prevent any light pollution through the hedge.
- Window overlooks neighbour.

## **LDF CORE STRATEGY POLICIES**

**CS03** - King's Lynn Area

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS09** - Housing Distribution

**CS11** - Transport

**CS12** - Environmental Assets

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

**DM2** – Development Boundaries

**DM12** - Strategic Road Network

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**Policy E2.1** - West Winch Growth Area Strategic Policy

**Policy E2.2** - Development within existing built-up areas of West Winch

## **NEIGHBOURHOOD PLAN POLICIES**

**Policy WA09** - Enhancing the A10 Road Corridor

**Policy WA01** - Protecting Sites of Local Value

**Policy WA03** - Protecting and Replacing Natural Features

**Policy WA04** - Providing Sustainable Drainage

**Policy WA07** - Design to Protect and Enhance Local Character

## **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
- Highways/ Access
- Other material considerations

### **Principle of Development:**

The application site lies primarily within the existing development boundary as illustrated on Inset Map E2 (page 119 of the Site Allocations and Development Management Policies Plan), with the private access/ driveway located within land designated as the West Winch Growth Area.

In terms of the land within the development boundary; Policy E2.2 of the Plan 'Development within existing built-up areas of West Winch' is relevant. This part of the site is approximately 0.08ha in area.

*A development boundary for West Winch is shown on the policies map. (This is distinct from the strategic Growth Area identified in Policy E2.1) Within this development boundary the general Development Boundaries Policy DM2 will apply with the following provisos:*

*1. Along the existing A10:*

*a. no development resulting in significant new traffic or accesses onto to the A10(excepting that provided under growth area Policy E2.1) will be permitted in advance of the new West Winch link road opening. Significance in this instance refers to effect on the capacity and free flow of traffic on the A10 and its ability to accommodate the existing traffic and that arising from the growth area, and both individual and cumulative potential impacts will be considered;*

*b. new development should generally be set back from the road and provide for significant areas of planting adjacent to the road in order to avoid extending the continuous developed edge to the A10;*

*2. Special care will be taken in the vicinity of the Countryside Buffer indicated on the Policies Map to maintain a soft edge to the countryside beyond and avoid a hard and prominent edge to the developed area when viewed from the West;*

*3. Areas to the east of the A10 will preferably be associated with the growth area and accessed through the growth area rather than directly onto the existing A10 road.*

Policy DM2 states that ‘development will be permitted within the development boundaries of settlements shown on the Policies Map provided it is in accordance with the other policies in the Local Plan.’

The application proposes access will be taken via Chequers Lane and not directly onto Main Road/ the A10, and the levels of traffic proposed for two dwellings would be considered modest. The applicant has demonstrated how in the longer term this development could be linked to the development of the wider allocation. The Local Highway Authority has considered the effect on the flow of traffic (which is discussed in detail below) and does not object to the proposal. The nature of the site is that it is already set back from the road behind an established grass verge. The site is not located as part of or adjacent to the countryside buffer.

Therefore, in terms of the principle of development the construction of two dwellings on land within the development boundary is broadly acceptable, subject to compliance with development plan policies.

In terms of the area of land which falls outside of the development boundary (which equates to approximately 0.06 ha), policy E2.1 applies. Policy E2.1 of the Site Allocations and Development Management Policies Plan deals with the ‘West Winch Growth Area Strategic Policy’. This allocation covers an area of approximately 192 ha in total. The policy seeks to secure at least 1,600 new dwellings, together with associated facilities and infrastructure, and around 1ha of employment land. The scheme should provide a mix of housing, a new road linking A10 and A47 serving the new development, and enhancement and traffic calming measures along the A10. It should also include the provision of public transport, a network of cycle and pedestrian routes, the creation of three new distinct neighbourhoods to the east of the A10 with a neighbourhood centre, green areas for recreation, nature conservation, agriculture, landscaping, and foot/cycle/bridle paths, and incorporation of suitable sustainable drainage arrangements.

The policy goes on to identify the process for the delivery of this area. It states ‘proposals for development within the Growth Area will need to:

a. Demonstrate how the proposals for development of the individual application area(s) contribute to the implementation of the each of the outcomes listed above and their indicative distribution shown on the Strategic Diagram....’

The policy (in sections b. to e.) require applicants to contribute to and participate in an Infrastructure Delivery Plan, timetable/ phasing of construction, strategic transport plan, ecological assessment, green infrastructure, heritage assessment, flood risk assessment, an assessment of the potential for extracting any viable reserve of silica sand on the site and provide financial contributions towards the provision of infrastructure.

The applicant has submitted information in the form of indicative plans to seek to demonstrate how this site could be delivered without compromising the delivery of the wider allocation, and the necessary infrastructure required to be delivered as part of this.

It is important to point out that the applicant owns approximately 0.9ha of land which is located to the rear of this application site (identified in blue on the block plan) and all falls within the allocation. The Council will be having further discussions with the landowner with regard to signing up to a landowner collaboration agreement to bring forward this land as part of the delivery of the wider allocation.

In terms of the progress of the delivery of the allocation to date, a framework masterplan for this area has been adopted and this shows the small area of land forming part of the

application site is likely to be utilised for public open space and residential development. There is no detailed information available at this stage within the masterplan as it shows land uses rather than a site layout, and therefore it is considered the applicant, in submitting indicative block plans, has gone some way to meet the requirements of policy E2.1. Discussion has been held internally and the view is that at this stage and in these specific circumstances, it is not considered that the development proposed would prejudice the delivery of the wider allocation. The information provided by the applicant is proportionate.

The application is in accordance with policy E2.2 and has gone some way to meet the requirements of policy E2.1, via the submission of the indicative plans and by starting discussions with the Council to collaboratively develop the rest of the blue land as part of the allocation. Therefore, on balance, it is recommended that the principle of development in this location is broadly acceptable.

### **Form and Character:**

The application site is situated between existing dwellings to the north and to the south which front onto Main Road/ the A10. It is also allocated for residential development on land to the rear of the site. This is an outline application only with site layout, scale, appearance, landscaping etc all yet to be submitted. At this stage it is recommended that the principle of two residential units on site is acceptable in terms of the form and character of the locality, and is in accordance with CS06, CS08 and DM15, as well as Neighbourhood Plan policy WA07.

### **Highways/ Access:**

Policies E2.1 and E2.2 stress the importance of a suitable access for the delivery of any new development on/ adjacent to the A10, and as detailed above, require consideration is given to both the access, the capacity and free flow of traffic on the A10, and how this application would fit into the longer term plans for development within the locality. Initial growth area plans suggest that as part of the development of the growth area, Chequers Lane would be restricted to through traffic only, providing a safer access solution.

The Parish Council refers to Neighbourhood Plan policy WA09 which states that 'development proposals within the A10 shall provide or help to provide ...improvements to that road corridor..'. The Parish Council consider that the junction of Chequers Lane and the A10 is of poor design and that this would be premature development which should not be approved prior to the construction of the relief road. Neighbouring residents also raise issues regarding the potential traffic/ access issues of the scheme as proposed.

The Local Highway Authority has clarified that direct access off A10 would not be supported. However, that Chequers Lane experiences low traffic flows. There have been no recorded accidents at this junction in the past 5 years. The junction is clear, signed and lined for motorists, and is in line with current guidance for the levels of traffic utilising it. While Chequers Lane is a single lane route, the close proximity of the access to the wide junction would mean that passing cars can be achieved given the low number of movements. The development is not anticipated to give rise to significant traffic impacts that would warrant the interventions specified within policy WA09. The Local Highway Authority would be unable to substantiate an objection to the proposal on highway safety grounds.

The development proposed, for two dwellings only via the creation of a private drive off Chequers Lane would not be contrary to the Local Highway Authority and is considered consistent with the NPPF and policies CS11 and DM15 of the Local Plan. In terms of the Neighbourhood Plan policy WA09, the delivery of improvements to the A10 would come

forward as part of the development of the wider site, and this proposal is not contrary to or prejudice the delivery of this policy.

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

Neighbour Amenity – This application seeks consent for residential development and given the size of the site, the scale of development proposed and the neighbouring existing residential development it is considered a suitable scheme could be designed which would not give rise to neighbour amenity issues. CSNN have no objections to this application subject to a condition being applied to secure a scheme to protect the dwellings proposed from road traffic noise. This should be informed by a noise survey submitted as part of the reserved matters application. Therefore, based on the information available at the current time the scheme is not contrary to policies CS08 or DM15 of the adopted Local Plan.

Drainage – Across the front of the site, between the application site and the area of public green space is an existing drainage dyke which is outside of the application site. However, the Parish Council and neighbour comments raise concerns about drainage on the application site. Firstly, that the dyke is not currently maintained sufficiently and that the use of soakaways may not be appropriate on the site. The Parish Council refers to Neighbourhood Plan policy WA04 which requires new development to have regard to sustainable drainage design which would not adversely affect surface water drainage for properties and land. Given the application is outline with access only, the site layout details are yet to be proposed and drainage details have not been provided at this stage. Drainage arrangements could be conditioned as part of a planning consent.

Landscaping – Details of the landscaping proposed should be submitted and considered as part of the reserved matters planning application on the site. The landscaping should respect and enhance the importance of the valuable area of green space along the site frontage. This is in accordance with policies CS08, DM15 and Neighbourhood Plan policies WA01 WA02 and WA07. In consideration of the Masterplan for the growth area, the private access/driveway proposed would be cutting across land broadly identified as an area of open space to serve the wider allocation. This is the case because the area cannot be built upon for housing due to the Health and Safety Exclusion zone (for the gas pipeline). The driveway as proposed would abut an existing access and garden to a single neighbouring dwelling and is only 5.5m in width. It would have a minimal impact on the wider allocation itself given the scale proposed.

Trees – There are a number of existing well established trees to the front of the site, and adjacent to the proposed private access. The Arboricultural Officer has requested that conditions are attached to any consent to require tree protection and the establishment of a landscaping scheme as part of the reserved matters application in accordance with Policy CS12.

Ecology - Natural England identified that the application site was within the zone of influence for European designated sites. Norfolk Green Infrastructure and Recreational disturbance Avoidance and Mitigation Strategy ('GIRAMS') provides a mechanism for mitigation for new residential development within this ZOI which is 'likely to have a significant effect', when considered either alone or in combination, upon the qualifying features of the European Site due to the risk of increased recreational pressure that could be caused by that development.

A shadow Habitats Regulations Assessment has been submitted by the applicant which concludes subject to the mitigation measures (the GIRAMS payment) being secured, there are no adverse effects of the development proposal on the integrity of internationally designated wildlife sites in relation to recreation. The proposed development is of a nature

and scale that there are no additional recreation implications beyond those being mitigated by the Norfolk GIRAMS. The applicant has paid the GIRAMS fee of £371.86.

Gas Pipeline Exclusion Zone – a Health and Safety Executive Exclusion Zone is in place due to the presence of an existing gas pipeline which runs across the proposed private access/ driveway. Cadent Gas have advised that no works should commence on site until the applicant has received authorisation and guidance. The Health and Safety Executive does not advise on safety grounds, against the granting of planning permission. This zone would also inform the reserved matters application in terms of site layout.

## **CONCLUSION:**

The planning application seeks outline consent (with access) for the construction of two dwellings (with associated works) which would be accessed via Chequers Lane. The application site lies predominantly within the development boundary for West Winch, and the scheme as proposed is in accordance with policy E2.2 of the Site Allocations and Development Management Policies Plan.

The proposed private access/ driveway lies outside of the development boundary within the area allocated for West Winch Growth Area Strategic Policy. The applicant has sought to address the requirements for policy E2.1 through the submission of indicative block plans. Given the scale of the allocation, the complexities of the delivery plan and in this case specifically the very small area of land, the positioning of this land and the relationship to the land within the development boundary it is considered on balance that the proposal does not conflict with policy E2.1.

The form and character of the locality is such the development of two dwellings would be entirely acceptable. Similarly, the development would not have a detrimental impact on the existing landscaping and green space along the A10. The details of the development including drainage, site layout, tree protection and landscaping could all come forward as part of the reserved matters application. There are no issues identified at this stage which would warrant refusal of the application.

For the reasons detailed above, it is recommended the application is in accordance with the NPPF, policies CS03, CS06, CS08, CS09, CS11, CS12 of the Core Strategy, policies DM2, DM12, DM15, E2.1, E2.2 of the Site Allocations and Development Management Policies Plan and policies WA01, WA03, WA04, WA07 and WA09 of the North Runcton and West Winch Neighbourhood Plan.

## **RECOMMENDATION:**

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

- 1 Condition Approval of the details of the means of layout, scale, appearance and landscaping of the site (hereinafter called 'the reserved matters') shall be obtained from the Local Planning Authority before any development is commenced.
- 1 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition Plans and particulars of the reserved matters referred to in Condition 1 above shall be submitted to the Local Planning Authority in writing and shall be carried out as approved.

- 2 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 3 Condition Application for the approval of reserved matters shall be made to the Local Planning Authority before the expiration of three years from the date of this permission.
- 3 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 4 Condition The development hereby permitted shall be begun not later than the expiration of two years from the final approval of the reserved matters or, in the case of approval on different dates, the final approval of the latest such matter to be approved.
- 4 Reason To comply with Section 92 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 5 Condition The development hereby permitted shall be carried out in accordance with the following approved plans -  
  
Revised Indicative Block Plan V6 - Ref 23/631/30 received 14 March 2024 in so far as access only.
- 5 Reason For the avoidance of doubt and in the interests of proper planning.
- 6 Condition Prior to the first occupation of the development hereby permitted the vehicular / pedestrian/ cyclist access / crossing over the verge shall be constructed in accordance with the highways specification TRAD 5 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.
- 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.
- 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 in accordance with the principles of the NPPF.
- 8 Condition Prior to the first use of the development hereby permitted a visibility splay measuring 2.4 metres x 43 metres shall be provided to the east side of the access where it meets the nearside carriageway edge. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 8 Reason In the interests of highway safety in accordance with the principles of the NPPF.



- 9 Condition Notwithstanding the submitted details unless otherwise agreed in writing by the Local Planning Authority the proposed private drive shall be maintained in perpetuity at a minimum width of 4.5 metres for its complete length.
- 9 Reason In the interests of highway safety and traffic movement in accordance with the NPPF.
- 10 Condition Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking, turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 10 Reason To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety.
- 11 Condition No development shall commence until full details of the foul and surface 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.
- 11 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

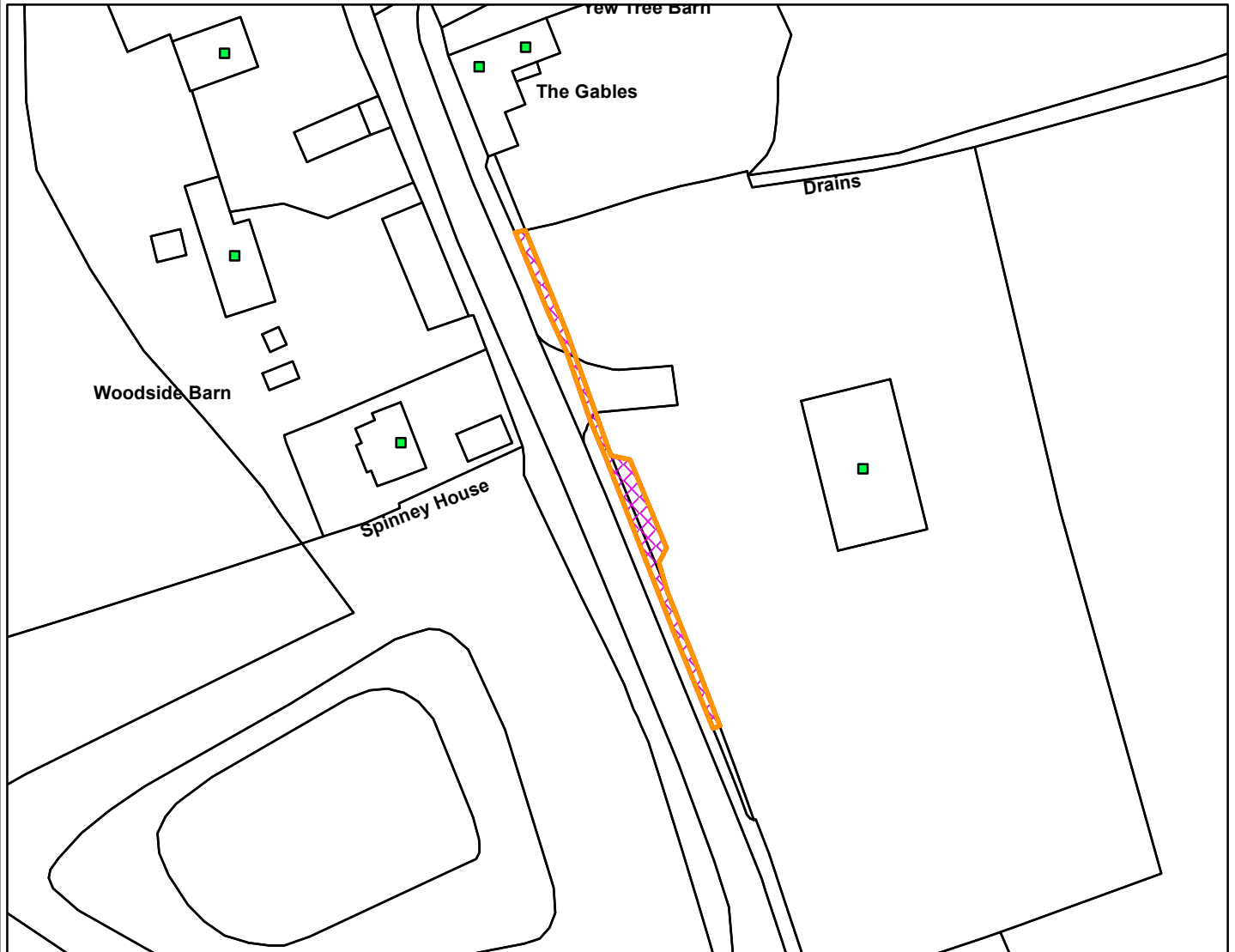
This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

- 12 Condition No development or other operations shall commence on site until the existing trees and/or hedgerows to be retained have been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 12 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 13 Condition No existing trees, shrubs or hedges within the site that are shown as being retained on the approved plans shall be felled, uprooted, willfully damaged or destroyed, cut back in any way or removed without the prior written approval of the Local Planning Authority. Any trees, shrubs or hedges removed without such approval or that die or become severely damaged or seriously diseased within 5 years from the completion of the development hereby permitted shall be replaced with trees, shrubs or hedge plants of a similar size and species in the next available planting season, unless the Local Planning Authority gives written approval to any variation.
- 13 Reason To ensure that the development is compatible with the amenities of the locality in accordance with the NPPF.

- 14 Condition No development above foundation level shall take place on site until a scheme to protect the dwellings from road traffic noise has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved before any of the dwellings are occupied.
- 14 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.



Deerfields Lynn Road Setchey Kings Lynn PE33 0BD



**Legend**

[Empty legend box]

**Scale:** 1:1,250

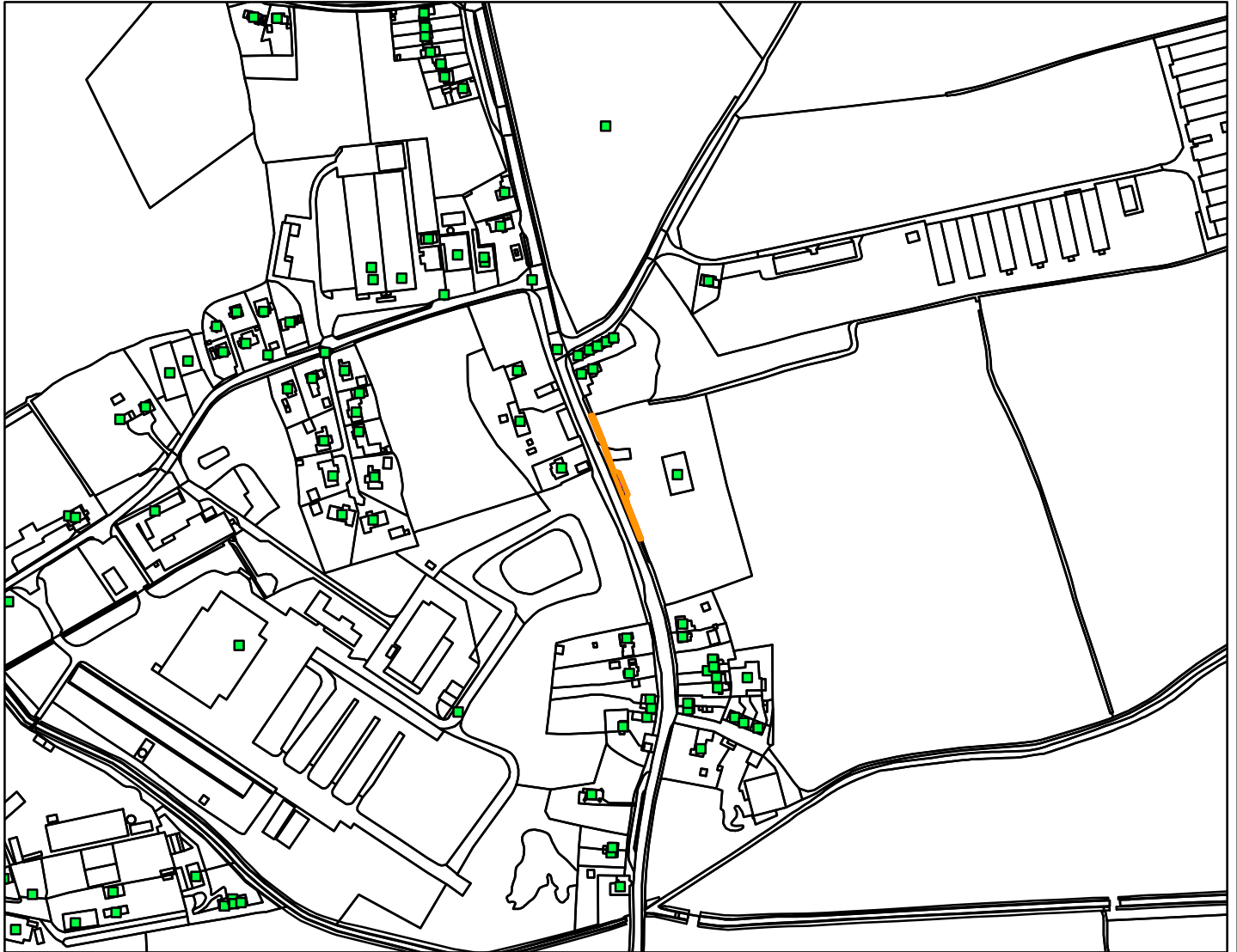
Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314



Deerfields Lynn Road Setchey Kings Lynn PE33 0BD



**Legend**

[Empty legend box]

**Scale:** 1:5,000

Reproduced from the Ordnance Survey map with permission of the Controller of His Majesty's Stationery Office © Crown Copyright 2023.

Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings.

Organisation	BCKLWN
Department	Department
Comments	
Date	22/03/2024
MSA Number	0100024314

<b>Parish:</b>	<b>West Winch</b>	
<b>Proposal:</b>	<b>Replacement of Carrstone Wall in connection with planning application 20/00303/FM</b>	
<b>Location:</b>	<b>Deerfields Lynn Road Setchey KINGS LYNN PE33 OBD</b>	
<b>Applicant:</b>	<b>SHS Holdings</b>	
<b>Case No:</b>	<b>23/02031/F (Full Application)</b>	
<b>Case Officer:</b>	<b>Mrs C Dorgan</b>	<b>Date for Determination:</b> 9 January 2024 <b>Extension of Time Expiry Date:</b> 12 April 2024

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

**Neighbourhood Plan:** Yes

**Case Summary**

Planning permission is sought for the construction of a new carrstone boundary wall (88m in length) along the western boundary of the site known as Deerfields, Lynn Road, Setchey, directly adjacent to the A10.

The application seeks to regularise works which took place contrary to planning consent reference 20/00303/FM. The application also follows, and is identical to, a previous application 21/02363/F which was approved at Planning Committee. The applicant has offered to provide a signed Unilateral Undertaking to secure the construction of the wall within a fixed and agreed period of time.

**Key Issues**

- Principle of Development and Planning History
- Impact on Form and Character
- Impact on Highway Safety
- Other Material Considerations

**Recommendation**

**(A) APPROVE** subject to conditions and the completion of a Unilateral Undertaking (to secure the construction of the wall) within four months of the date of this resolution to approve.

**(B) REFUSE** In the event that the Unilateral Undertaking (to secure the construction of the wall) is not agreed within four months of the date of this resolution to approve.

## **THE APPLICATION**

Planning permission is sought for the construction of a new carrstone boundary wall (88m in length) along the western boundary of the site known as Deerfields, Lynn Road, Setchey, directly adjacent to the A10.

The application seeks to regularise works which took place contrary to planning consent reference 20/00303/FM. The application also follows, and is identical to, a previous application 21/02363/F which was approved at Planning Committee.

## **SUPPORTING CASE**

1. These submissions follows a review of the application and associated documents. This application should not be controversial, which seeks to resolve the matter concerning the Carrstone Wall as agreed with the Council's Enforcement Officer.

2. The application seeks approval for precisely the same development as approved in 2022 (21/02363/F), to replace the wall that was removed following wind damage and on health and safety grounds following professional advice.

3. The application should be clearly approved because, by particular reference to the consultation representations from the Parish Council and also the Council's Conservation Officer:

3.1 It has been agreed with the Council's Enforcement Officer that the wall should be rebuilt to the same level and standard as per the 2022 Permission.

3.2 The application is for the precisely same development as granted in 2022, supported by the Council and Conservation Officer at the time.

3.3 In any event, the application must be determined on its own merits. The application is acceptable in its own right. There is no need to consider alternatives here.

3.4 Further, there must also be consistency in decision-making. There is no reason to depart from the previous decision to grant the 2022 Permission in respect of the same site and precisely the same development. This is significant material consideration that weighs in favour of granting permission.

3.5 The Conservation officer has raised no in principle concerns. It is however appropriate to impose the same condition requiring agreement of materials as imposed on the 2022 permission, which the applicant agrees.

4. The applicant is also proposing to enter into a Unilateral Undertaking to commit to the rebuilding of the wall in accordance with the permission within 4 months of approval of the materials to be used. This offers the Council complete comfort in this regard.

5. For all the above reasons, we see no legal or policy justification to refuse the application in the circumstances. Approval of the application will finally enable resolution of this matter.

## **PLANNING HISTORY**

21/02363/F: Application Permitted (Committee decision): 07/03/22 - Rebuilding of original Carrstone wall in connection with planning application 20/00303/FM. - Deerfields

20/00303/FM: Application Permitted (Committee decision): 03/06/20 - Change of use of existing grain store barn and site to warehouse and external storage of products for sale and

dispatch. New entrance to highway created. Over-cladding of existing fibre cement panels, new mezzanine floor, internal offices and warehouse storage - Building W of Spinney House

19/01838/FM: Application Withdrawn: 03/02/20 - Change of use of existing grain store barn and site to warehouse and external storage of products for sale and dispatch. Over-cladding of existing fibre cement panels, new mezzanine floor, internal offices and warehouse storage and perimeter fencing. - Building W of Spinney House

12/01549/F: Application Permitted (Delegated decision): 18/12/12 - Change of use of agriculture building to architectural, food industry and motorcycle and bespoke parts fabrication with associated display and sales - Land North of Brooklyn Lynn Road

10/01519/F: Application Permitted (Committee decision): 06/12/10 - Change of use of existing agricultural building for manufacture and distribution of themed play equipment - Land North of Brooklyn Lynn Road

## **RESPONSE TO CONSULTATION**

### **Parish Council: OBJECTION**

The West Winch Parish Council would like to make the following comments;

In the plan accompanying the application it states the wall is to be 'reinstated' and also shows a photo of the original wall. As that wall was over 1.5 m tall and the so-called reinstated wall is only 0.9m high, it therefore not to be truly reinstated. They need to change their drawing terms to reflect what they are actually doing or properly rebuild the wall to its original height which was we understand agreed by Deerfield before they destroyed the existing one.

Further if they build this wall it needs to be properly inspected to see if, as stated on their plan, it matches the photo on the plan. A 0.9m wall cannot match the original wall as shown in the photo. Also attached is some correspondence from a Parish Councillor when the wall was destroyed.

'Within the last two/ three years the wall was rebuilt and re-pointed by a professional builder for the previous owners and in their satisfaction the builder was paid. This wall has formed part of our heritage as it fronted an old Manor House for possibly the last two centuries, and has now been destroyed by the new coming owner. These types of walls are fast disappearing in our Parishes and therefore needs reinstating and protecting.

It is worth noting here that our Borough Councillors, Cllr Gidney, when contacted after the first part of the wall was knocked down (apparently an accident) stated and confirmed the said owners would replace it. The possibility of the wall not being reinstated has caused much upset within our Villages. Please can you confirm that the Owners will carry out the work as agreed to in the rules & regulations & conditions (20/00303 FM) of the Planning department of the Borough Council of Kings Lynn & West Norfolk. May I humbly remind you that the wall is part of OUR heritage, a newly planted hedge or metal fence is not: from a lovely old wall in keeping with our village it now looks an industrial unit with the now erected fencing it resembles a prison, with pallets etc looking so untidy, at least the original wall would have hidden this mess.

In my opinion the said Owners are certainly not providing an asset to our village as it stands and have gone back on their word & agreement. Also, before demolishing the wall should they not have contacted the relevant authorities for consent and were they not insured as

such to replace after it "accidentally" got knocked down. I look forward to your early response before we share this with our Parishioners via the internet and our notice boards etc, as to where we stand.'

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

The proposed wall is to be positioned between approximately 4m - 5m back from the carriageway edge and as this would not impact on visibility splays for the point of vehicle access we do not have an objection to the proposal.

### **Conservation Officer: NO OBJECTION**

It was disappointing that this historic wall was demolished. It would therefore be acceptable to rebuild it. However, the existing historic materials have been left in a pile on site which is now overgrown with weeds and other plants. It would therefore be unlikely that much of this material will be able to be reused and matching any new Carstone will not be easy. Therefore, what was a significant historic wall with age and character, will become a new Carstone wall of an inappropriate colour.

It would therefore be useful to know how much of the original materials can be reused to see if this proposal is still viable, and if new Carstone is needed, this should be sourced prior to any decision, to ensure an appropriate wall can be built.

### **REPRESENTATIONS**

None received.

### **LDF CORE STRATEGY POLICIES**

**CS06** - Development in Rural Areas

**CS08** - Sustainable Development

**CS10** - The Economy

**CS12** - Environmental Assets

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

**DM15** – Environment, Design and Amenity

### **NEIGHBOURHOOD PLAN POLICIES**

**Policy WA04** - Providing Sustainable Drainage

**Policy WA07** - Design to Protect and Enhance Local Character

### **NATIONAL GUIDANCE**

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021



## PLANNING CONSIDERATIONS

The key issues are:

- Principle of Development and Planning History
- Impact on Form and Character
- Impact on Highway Safety
- Other Material Considerations

### Principle of Development and Planning History

Planning permission was granted at Planning Committee in 2020 (ref 20/00303/FM) for the change of use of an existing grain store to use as a warehouse including external storage in connection with a commercial use. The change of use was implemented following the granting of consent, however a carrstone boundary wall, which spanned across the western boundary of the site fronting the A10/Lynn Road, was demolished during construction. The wall is said to have been approximately 1.5m in height and was approximately 81m in length. The development was therefore not completed in accordance with the agreed details and is contrary to conditions attached to the consent. Specifically, conditions –

1. The development hereby permitted shall be carried out in accordance with the following approved plans (Drawing Nos 25124/022B received on 19 May 2020, and 25124/020A, 25124/021A, 25124/023A, 25124/024A, 25124/025A and 25124/901A received on 27 Feb 2020).

7. The existing boundary wall to the west of the development hereby approved shall be taken down to provide a new entrance, and the existing stone and masonry set aside for re-use. The wall to be built in the new location as shown on drawing 25124-022A is to be constructed with the reused or similar materials, mortar, bond and pointing to match the existing.

Drawing number 25124/022B of the previous consent is entitled “Proposed Site Plan and Site Entrance Plan”. It identifies the location of the original carrstone wall on either side of the proposed new access. Two sections of the wall were indicated “to remain” and a third section was annotated “Rebuilt Carrstone Wall”. Condition 7 of 20/00303/FM further provides for the reuse of materials when infilling the section of wall to close up the previous access point. Neither of these conditions have been complied with.

An enforcement case was opened on the site following the demolition of the wall and a Breach of Condition Notice served on the owner/ applicant (ref: 21/00059/BOC). The Breach of Condition Notice stated that the owner was in breach of conditions 1 and 7 of the approved consent 20/00303/FM. S.73A of the Town and Country Planning Act allows the submission of planning applications to regularise developments without enforcement action being taken. Although a local planning authority may invite an application, it cannot be assumed that permission will be granted, and the local planning authority should take care not to fetter its discretion prior to the determination of any application for planning permission – such an application must be considered in the normal way.

An application (identical to this one) was submitted in 2021, with a reference of 21/02363/F. The application was approved by Planning Committee and issued on 07/03/22. Development was not commenced.

Enforcement action, following the Breach of Condition Notice detailed above, resulted in a Hearing held on 19 July 2023 at Kings Lynn Magistrates Court. The Company pleaded guilty to the allegation of Breach of Condition Notice.

After considering the facts of the prosecution case, and mitigation presented, the magistrates sentenced the Company to a fine in the sum of £1,200, a contribution to the prosecution costs in the sum of £1,200 and a £120 victim's surcharge. The total amount owed, £2,520, was ordered to be paid within 28 days of the hearing. This sum was settled.

The applicant has still not commenced development on the wall to date. This application, again, seeks consent to regularise the unauthorised demolition and proposes the rebuilding of the carrstone wall to 0.9m in height and in total 88m long (with 82m adjacent to the road). The wall proposed stretches from the northern boundary south and includes a gateway feature either side of the new access. There would be approximately 50m of this boundary to the far south of the site which would consist of the security fencing and hedgerow planting only. It is important to note that historically the carrstone wall did not stretch along the entire frontage of the site. The positioning of the proposed wall does differ from the previous location in that it now runs from the north of the site 88m in total (with 82m immediately alongside the A10) whereas previously the boundary wall was not positioned this far north.

The applicant states that the wall was in disrepair with limited foundations. During the construction of the development part of the wall collapsed onto the public highway, and the applicant states that the wall was unsafe. The remaining extent of wall was then subsequently entirely demolished. The applicant has stated in response to enforcement action that they are keen to resolve this matter. They suggest that in addition to submitting this planning application, they would also make an application for a non-material amendment to application 20/00303/FM conditions 1 and 7. The amendment would refer to this planning consent should this be approved and would provide clarity and consistency between these two applications. This non-material amendment application has now been submitted. The applicant goes on to say that upon the granting of those applications, the wall would be completed in accordance with the approved plans within 4 months (for example) or such other time as may be agreed. They have committed to a Unilateral Undertaking to rebuild the wall, providing the Council with reassurance and an enforceable agreement.

In summary, the principle of development has already been established on the site by the implemented planning consent ref: 20/00303/F and the associate conditions. Enforcement action has been taken to address the removal of the wall contrary to the approved consent. This current planning application is a response to the Breach of Condition Notice served by Planning Enforcement, and the subsequent financial penalty. Therefore, the application is acceptable in terms of the principle of development in accordance with the NPPF, and policies CS06, CS08 and CS11 and DM15 of the adopted Local Plan, and policy WA07 of the North Runcton and West Winch Neighbourhood Plan.

### **Impact on Form and Character**

As a carrstone wall directly adjacent to the A10, the boundary treatment previously played a role in the visual amenities of the street scene. The traditional wall and materials are indicative of historic buildings and walls in the immediate vicinity. It is important to note that the wall was not located within a Conservation Area nor was it a Listed structure and therefore had no protection in its own right. Prior to the planning consent, the landowner could have removed the wall at any time without the need for planning permission.

Paragraph 140 of the NPPF (2023) states that 'Local planning authorities should seek to ensure that the quality of approved development is not materially diminished between permission and completion, as a result of changes being made to the permitted scheme (for example through changes to approved details such as the materials used).'

Paragraph 209 of the NPPF (2023) goes on to state that 'in weighing up applications that directly or indirectly affect non-designated heritage assets a balanced judgement will be required having regard to the scale of any harm or loss and the significance of the heritage asset.'

The application site falls within the neighbourhood area for the North Runcton and West Winch Neighbourhood Plan (2017). Policy WA07 of the Plan seeks to protect and enhance local character. The policy states-

*'Development proposals shall recognise, sustain and develop the distinctive village characteristics of the existing neighbourhoods in relation to building design, spatial layout, height, density, scale, lighting and use of materials.'*

*This means...materials used in the construction of dwellings, including boundary design, shall be high quality and respond positively to the characteristics of existing properties. The use of traditional local building materials (local brick types, carrstone, pantile) will be strongly supported. .... Boundary demarcation should embrace 'rural' character, e.g. by using hedging consisting of mixed native species (hawthorn, blackthorn, field maple, hazel, holly, etc.). Unsympathetic boundary design (e.g. unmitigated security railings or Leylandii hedging) will not be supported.'*

The loss of the traditional carrstone wall, which previously provided a positive feature in the street scene is considered to represent a retrograde step when compared to the extant approval on site. Given the age of the wall and the possible history attached to it, the wall structure should be regarded as a non-designated heritage asset and on this basis paragraph 209 of the NPPF is relevant. The proposal to rebuild the carrstone wall would reinstate the appearance of this boundary to retain the character of the area. The relocation of the proposed wall further to the north of its original location would also provide betterment by providing a continuation of the boundary wall of the Grade II Listed 'The Gables'. This would make a positive contribution to the setting of this listed building, and this approach is supported by the Conservation Officer.

The Conservation Officer does query the potential quality of the existing historic materials, which have been left in a pile on site, and how much of this would be able to be used in the construction of the wall. Furthermore, any additional/ new carrstone should be carefully sourced to ensure that the wall would not be a new carrstone wall of an inappropriate colour. They request a discussion regarding materials is held prior to the determination of the application. It is our view that a condition should be attached to the consent requiring a suitable sample panel is provided and agreed in writing by the Local Planning Authority prior to the commencement of development. The Parish Council has requested that the wall is inspected to ensure it is as close in appearance to the wall that was lost, and this condition will enable the Conservation Officer to ensure the materials and appearance are of sufficient quality.

In terms of the lower height proposed, any harm caused by this proposed lower height would be negligible provided the wall is of the appropriate appearance and construction.

Under the 2020 planning consent the carrstone wall was to be retained with planting behind, and then set behind the planting the security fence as shown on the approved plans. Under application ref 20/00303/DISC\_A the native hedgerow planting scheme was submitted and approved. This same native hedgerow planting scheme has been re-submitted to form part of this application to clarify the proposed boundary treatment along this frontage. The native hedgerow planting scheme remains acceptable. The security fencing and the planting are in place.

The rebuilding of the wall is in line with the NPPF, policies CS08 and CS11 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016), as well as policy WA07 of the North Runcton and West Winch Neighbourhood Plan (2017).

### **Impact on Highway Safety**

The view of the Local Highway Authority is that the proposed replacement wall would be positioned between approximately 4m - 5m back from the carriageway edge and as this would not impact on visibility splays for the point of vehicle access there would be no objection to the proposal. The proposal is in accordance with the NPPF, policy CS11 of the Core Strategy and policy DM15 of the Site Allocations and Development Management Policies Plan.

### **Other Material Considerations**

The Parish Council queried the wording of the application when submitted as it referred to the wall being 'reinstated'. As the wall would not be identical to that proposed the applicant has amended the description to 'Replacement of Carrstone Wall in connection with planning application 20/00303/FM'.

Enforcement action taken on this site has also included two additional issues; one relating to the area of hardstanding for turning and parking and the second relates to operating hours. These issues do not form part of this planning application as both are outside of the application site ('red line').

### **CONCLUSION:**

The application seeks to regularise/ gain planning consent for the rebuilding of an historic carrstone wall, which formed the western site boundary of the site known as Deerfields, Lynn Road, Setchey and which fronts onto the A10.

The positioning of the proposed wall does differ from the previous location in that it now runs from the north of the site 88m alongside the A10 to the south (with 82m fronting directly onto the road). Previously the boundary wall was approximately 81m in length and did not abut the northern boundary. The previous wall was approximately 1.5m in height, and the wall proposed is 0.9m. While the positioning of the wall is not identical to that before, and the wall is not of the same height, the applicant proposes to rebuild the wall to approximately the same length as the previous structure. The relocation will provide betterment by joining onto the boundary wall of the listed building to the north of the site and extending south.

Given the wall was not a protected structure, nor is in a designated area, it is considered reasonable that the applicant is replacing the full length of wall albeit at a reduced height. The construction of the wall will be secured via condition 1 of this consent and a Unilateral Undertaking by the applicant. The proposal is in accordance with the NPPF and Policies CS08 and CS12 of the Core Strategy (2011) and Policy DM15 of the Site Allocations and Development Management Policies Plan (2016) and policy WA07 of the North Runcton and West Winch Neighbourhood Plan (2017). The recommendation is to approve the application subject to the conditions attached and the Unilateral Undertaking legal agreement.

## RECOMMENDATION:

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

- 1 Condition: The construction of the wall hereby approved shall commence before 8 July 2024.
- 1 Reasons: 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 25124-1000 Rev C Site Location Plan, 25124-1001 Rev C Carrstone Wall Layout Plan and 25124-1002 Rev A Proposed Street Scene).
- 2 Reasons: For the avoidance of doubt and in the interests of proper planning.
- 3 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.
- 3 Reasons: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with 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 wall 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 and retained in perpetuity.
- 4 Reasons: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.

**(B) REFUSE** In the event that the Unilateral Undertaking (to secure the construction of the wall) is not agreed within four months of the date of this resolution to approve.

**PLANNING COMMITTEE -**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

**PURPOSE OF REPORT**

- (1) To inform Members of the number of decisions issued between the production of the March Planning Committee Agenda and the April agenda. 146 decisions issued 136 decisions issued under delegated powers with 10 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 16 February 2024 – 20 March 2024

	Total	Approved	Refused	Under 8 weeks	Under 13 weeks	Performance %	National Target	Planning Committee decision	
								Approved	Refused
<b>Major</b>	10	8	2		9	<b>90%</b>	60%	3	0
<b>Minor</b>	72	54	18	63		<b>88%</b>	80%	3	1
<b>Other</b>	64	59	5	60		<b>94%</b>	80%	1	2
<b>Total</b>	<b>146</b>	<b>121</b>	<b>25</b>						

Planning Committee made 10 of the 146 decisions, 7%

**PLANNING COMMITTEE -**

**APPLICATIONS DETERMINED UNDER DELEGATED POWERS**

---

**PURPOSE OF REPORT**

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

**RECOMMENDATION**

That the report be noted.

**DETAILS OF DECISIONS**

<b>DATE RECEIVED</b>	<b>DATE DETERMINED/ DECISION</b>	<b>REF NUMBER</b>	<b>APPLICANT PROPOSED DEV</b>	<b>PARISH/AREA</b>
----------------------	----------------------------------	-------------------	-------------------------------	--------------------

19.06.2023	15.03.2024 <b>Application Permitted</b>	23/01084/F	Barrow Hill Barn 40 Common Lane Brancaster Staithe KINGS LYNN VARIATION OF CONDITIONS 2 AND 12; AND REMOVAL OF CONDITIONS 4, 5 AND 13 OF PLANNING PERMISSION 22/01638/F: Conversion of existing barn into residential dwelling	Brancaster
------------	--	------------	---	------------

05.09.2023	28.02.2024 <b>Application Permitted</b>	23/01611/F	Land Adjoining Floyd House Marsh Side Brancaster Norfolk Variation of Conditions 1 and 3 of Planning Permission 22/01586/RM: Construction of 1 new dwelling.	Brancaster
06.11.2023	22.02.2024 <b>Application Permitted</b>	23/01972/F	The Nook 6 Common Lane Brancaster Staithe KINGS LYNN Extension & alterations to dwelling	Brancaster
18.12.2023	12.03.2024 <b>Application Permitted</b>	23/02253/F	Marshlands Cross Lane Brancaster King's Lynn Two storey rear extension and alterations to dwelling	Brancaster
21.12.2023	22.02.2024 <b>Application Permitted</b>	23/02285/F	Quexcroft Cross Lane Brancaster King's Lynn Variation of Condition 2 attached to planning permission 23/00384/F: Proposed extension, an increase of ridge height for loft conversion and renovation of the existing dwelling.	Brancaster
24.01.2024	12.03.2024 <b>Application Permitted</b>	24/00126/F	5 School Pastures Burnham Deepdale King's Lynn Norfolk Alterations to dwelling & Proposed car port	Brancaster
25.01.2024	11.03.2024 <b>Application Permitted</b>	24/00136/F	September House Main Road Brancaster Staithe King's Lynn Variation of condition 2 attached to planning permission 21/00214/F: Extension to the west of the property.	Brancaster



22.12.2023	16.02.2024 <b>Application Permitted</b>	23/02291/F	Northfield House 24 North Street Burnham Market King's Lynn Single storey rear extension and alterations to listed building.	Burnham Market
22.12.2023	16.02.2024 <b>Application Permitted</b>	23/02292/LB	Northfield House 24 North Street Burnham Market King's Lynn Single storey rear extension and alterations to listed building.	Burnham Market
22.01.2024	14.03.2024 <b>Application Permitted</b>	24/00114/F	No.TWENTY 9 29 Market Place Burnham Market KINGS LYNN Proposed single storey extension to B&B suites to provide linen store	Burnham Market
27.07.2023	04.03.2024 <b>Application Permitted</b>	23/01393/F	6 Gravel Hill Mill Road Burnham Overy Town King's Lynn Removal of the front porch and side link structures and replace them with a front lean-to stagger extension, a 1.5 storey side link extension and rear entrance porch.	Burnham Overy
07.09.2023	06.03.2024 <b>Application Permitted</b>	23/01625/F	2 Post Mill Cottages New Road Burnham Overy Staithe Norfolk Alterations to the dwelling including a new door, window and roof lights	Burnham Overy
06.09.2023	26.02.2024 <b>Application Refused</b>	23/01620/F	6 Walsingham Road Burnham Thorpe King's Lynn Norfolk Full planning permission for a single dwelling with associated landscaping, vehicular access and parking	Burnham Thorpe

15.01.2024	20.02.2024 <b>Application Permitted</b>	24/00078/F	19 Robin Kerkham Way Clenchwarton King's Lynn Norfolk Single Storey rear extension to bungalow.	Clenchwarton
18.02.2024	20.03.2024 <b>Would be Lawful</b>	24/00289/LDP	Land W of Kenwick Hall And S of Track Station Road Clenchwarton King's Lynn LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR A PROPOSED; Putting PV panels on the roof (south Facing ) only below 50kwh capacity.	Clenchwarton
29.01.2024	13.03.2024 <b>Application Permitted</b>	24/00159/F	Byshell Main Road Crimplasham King's Lynn Construction of garage for private residential use	Crimplasham
18.12.2023	20.02.2024 <b>Was Lawful</b>	23/02255/LDE	The Feathers Hotel 71 Manor Road Dersingham King's Lynn LAWFUL DEVELOPMENT CERTIFICATE FOR EXISTING FOR : Wooden fencing within the car park and a fence at the entrance to the site.	Dersingham
08.01.2024	28.02.2024 <b>Application Permitted</b>	24/00041/F	18 Wallace Twite Way Dersingham King's Lynn Norfolk Alterations and extension to two- storey residential dwelling.	Dersingham
09.01.2024	26.02.2024 <b>Application Permitted</b>	24/00044/F	14 Mountbatten Road Dersingham King's Lynn Norfolk Single Storey Rear Extension & Alterations. Extension to Garage Providing Shelter	Dersingham

10.07.2023	19.03.2024 <b>Application Permitted</b>	23/01249/F	The Paddocks Fakenham Road Stanhoe Norfolk Proposed change of use of existing CL caravan and camping site to 3no holiday let glamping pods and conversion of existing amenities building to 1 bedroom holiday let	Docking
23.11.2023	26.02.2024 <b>Application Permitted</b>	23/02090/F	The Gatekeepers Station Road Docking King's Lynn Proposed porch to dwelling	Docking
24.01.2024	19.03.2024 <b>Application Permitted</b>	24/00130/F	24 Sandringham Avenue Docking KINGS LYNN Norfolk Proposed Detached Single Storey Garden Room and Staircase with Utility link to existing dwelling/Balcony to Dwelling (Amended Scheme to previous Approved Application 23/01766/F)	Docking
19.02.2024	14.03.2024 <b>Application Refused</b>	22/00244/NMA_1	Holly House High Street Docking King's Lynn NON-MATERIAL AMENDMENT to 22/00244/F: Refurbishment of existing building, demolition of existing rear extension to be replaced with a new single storey extension.	Docking

06.09.2023	01.03.2024 <b>Application Permitted</b>	23/01615/CU	The Dial House 12 Railway Road Downham Market Norfolk Following temporary consent 22/00488/CU (expiring 12 October 2023), this application seeks permanent consent for operating a coffee/breakfast/lunch service as an ancillary service to the B&B for up to 12 guests, both B&B guests and pedestrian passersby. The proposal does not involve any development work or physical alterations to the property	Downham Market
16.10.2023	06.03.2024 <b>Application Permitted</b>	23/01835/RM	Meads 44 London Road Downham Market Norfolk Reserved Matters: Construction of 3 Dwellings	Downham Market
23.10.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/01886/F	2 Riverside Views Fairfield Road Downham Market Norfolk Build a timber garden office at the back of my house.	Downham Market
29.11.2023	19.03.2024 <b>Application Permitted</b>	23/02183/A	The Land of Gin & Honey 11 Market Place Downham Market Norfolk Application for advertisement consent for 1 x non illuminated hand painted sign on wooden facade and 2 x painted window signs	Downham Market
21.12.2023	23.02.2024 <b>Application Permitted</b>	23/02281/F	Outdoor Antics 10 - 12 High Street Downham Market Norfolk Alterations to shop and new plant	Downham Market

21.12.2023	23.02.2024 <b>Application Permitted</b>	23/02282/A	Outdoor Antics 10 - 12 High Street Downham Market Norfolk Banking hubs signage and branding including 1 x new non-illuminated heritage brand fascia, 1 x non-illuminated projecting sign, 2 x vinyl to two ground floor windows to provide privacy for the internal meeting room, 1 x suspended non-illuminated directory of services sign, 2 x marketing posters and vinyl lettering community message, 1 x A4 opening hours sign and 1 x A5 CCTV sign positioned on the main entrance door	Downham Market
05.01.2024	23.02.2024 <b>Application Permitted</b>	24/00027/F	88 Ryston End Downham Market Norfolk Variation of conditions 2 and 3 attached to planning permission 23/00587/F: Proposed bungalow.	Downham Market
05.01.2024	07.03.2024 <b>Application Permitted</b>	24/00029/F	Vacant 21 Paradise Road Downham Market Norfolk Change of use from beauty salon to holiday let/Airbnb	Downham Market
17.01.2024	16.02.2024 <b>Would be Lawful</b>	24/00086/LDP	Downham Market Academy Bexwell Road Downham Market Norfolk Erection of extension to school building	Downham Market
31.01.2024	14.03.2024 <b>Application Permitted</b>	24/00165/F	Hamilton House Denver Hill Downham Market Norfolk Proposed front and rear extension and alterations	Downham Market

08.03.2024	14.03.2024 <b>Application Permitted</b>	22/01443/NMAM_4	Carrstone House 159 Bexwell Road Downham Market Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/01443/FM: Demolition of existing dwellings and re-development to provide a 72 bedroom care home (Use Class C2) together with associated access, car and cycle parking, structural landscaping and amenity space provision	Downham Market
16.01.2024	11.03.2024 <b>Application Refused</b>	24/00107/F	Church Cottage Fakenham Road East Rudham King's Lynn Two storey rear extension	East Rudham
28.11.2023	18.03.2024 <b>Application Permitted</b>	23/02123/CU	Home Farm Gayton Road East Winch King's Lynn Change of use of land to amenity space for garden and parking/driveway	East Winch
31.03.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/00611/F	25 High Street Feltwell Thetford Norfolk Conversion of old storage unit into 8 two bedroom flats by increasing the scale and improving design of the existing building.	Feltwell
23.10.2023	20.02.2024 <b>Application Permitted</b>	23/01879/F	Londis Manchester House 2 High Street Feltwell Proposed Disabled ramp and handrails to shop entrance	Feltwell
02.02.2024	19.03.2024 <b>Application Permitted</b>	24/00186/F	Manor Farmhouse Back Street Gayton King's Lynn Proposed rear oak framed extension	Gayton

15.01.2024	06.03.2024 <b>Application Withdrawn</b>	24/00072/F	Land W of The Gables Vong Lane Pott Row Norfolk Proposed new dwelling.	Grimston
12.12.2023	26.02.2024 <b>Application Permitted</b>	23/02208/LB	The Round House Mill Road Harpley Norfolk Application for Internal and external alterations, repair and maintenance to a listed building.	Harpley
12.05.2023	04.03.2024 <b>Application Permitted</b>	23/00840/F	5 Hunstanton Road Heacham King's Lynn Norfolk Retrospective: The erection of a fence.	Heacham
17.11.2023	20.02.2024 <b>Application Permitted</b>	23/02054/F	10 Jubilee Avenue Heacham King's Lynn Norfolk Extension and refurbishment. Provide a larger living space maintaining 2 bedrooms. New attached garage and new porch.	Heacham
08.12.2023	20.02.2024 <b>Application Permitted</b>	23/02214/F	21A Lamsey Lane Heacham King's Lynn Norfolk Single storey garden room extension to rear of bungalow to replace conservatory.	Heacham
11.12.2023	23.02.2024 <b>Application Refused</b>	23/02204/O	Land To The Rear of 4-5 Sunnyside Heacham Norfolk Outline application for proposed residential dwelling following the subdivision of no.4 and no.5 Sunnyside	Heacham

20.12.2023	29.02.2024 <b>Application Refused</b>	23/02273/O	Land NE of Number 50 And N of Blackthorn Close Hunstanton Road Heacham King's Lynn OUTLINE PLANNING PERMISSION WITH ALL MATTERS RESERVED FOR : Erection of 2 no. self build and associated works	Heacham
09.01.2024	19.03.2024 <b>Application Permitted</b>	24/00042/F	Nirvana 39 South Beach Heacham King's Lynn VARIATION OF CONDITION 2 AND 3 OF PLANNING CONSENT 22/01083/F ; Proposed internal and external alterations to beach house, including lifting roof and erection of detached garage.	Heacham
25.01.2024	20.02.2024 <b>Application Permitted</b>	22/01650/NMAM_1	Mount Pleasant Farm 25 Lamsey Lane Heacham King's Lynn NON MATERIAL AMENDMENT TO APPLICATION 22/01650/FM: Change of use of land to provide 20 touring caravan pitches with hard standing; change of use of land to create areas for camping and grass touring caravan pitches; change of use of existing buildings and new building to provide - visitor utility building, reception/retail area and storage area, creation of parking area (temporary parking/drop off) new landscaping and off road path.	Heacham



01.02.2024	29.02.2024 <b>Was_ Would be Lawful</b>	24/00211/LDP	9 Lynn Road Heacham King's Lynn Norfolk Lawful Development Certificate: C3 Single Dwelling (Holiday Let) to C4 small HMO.	Heacham
12.04.2023	20.03.2024 <b>Application Permitted</b>	23/00804/CU	Martins Place 93 Main Street Hockwold cum Wilton Thetford Proposed change of use from mixed use curtilage (comprised of class C3 residential dwelling and class E day nursery) to the subdivision of the curtilage into two C3 residential dwellings	Hockwold cum Wilton
16.01.2024	18.03.2024 <b>Application Permitted</b>	24/00083/F	8 Pearces Close Hockwold cum Wilton Thetford Norfolk Two storey rear extension and front porch.	Hockwold cum Wilton
28.07.2023	22.02.2024 <b>Application Permitted</b>	23/01492/F	Home Farm House 40 Westgate Holme next The Sea Norfolk Single storey extension to link pool house to the main house, First floor extensions to the rear and raise roof height to allow for habitable rooms above and relocation of the plant room.	Holme next the Sea
30.10.2023	13.03.2024 <b>Application Permitted</b>	23/01926/F	Beach House 3 Beach Road Holme next The Sea HUNSTANTON Formation of new vehicular access	Holme next the Sea
03.11.2023	29.02.2024 <b>Application Permitted</b>	23/01967/F	Beamish Broadwater Road Holme next The Sea HUNSTANTON Proposed extension and alterations to existing dwelling and detached garage.	Holme next the Sea

04.12.2023	16.02.2024 <b>Application Refused</b>	23/02161/F	Tanholt Broadwater Road Holme next The Sea Hunstanton Retrospective: Single storey extension with roof terrace replacing conservatory (retrospective)	Holme next the Sea
03.05.2023	13.03.2024 <b>Application Refused</b>	23/00775/FM	Driftwood Cafe 1 Marine Parade South Promenade Hunstanton New Hotel Including Restaurant and parking above existing retail units	Hunstanton
02.01.2024	21.02.2024 <b>Application Permitted</b>	24/00004/F	Regency Manor Manor Road Hunstanton Norfolk Variation of condition number 2 attached to planning permission 22/01235/FM: A new 70 No. beds care home within a 2 & 3 storey building.	Hunstanton
07.09.2023	26.02.2024 <b>Application Permitted</b>	23/01628/F	Davy Field (Plot 6) Lynn Road Ingoldisthorpe Norfolk VARIATION OF CONDITIONS 1 AND 2 OF PLANNING PERMISSION 23/01613/F: Residential development and new public amenity area	Ingoldisthorpe
08.09.2023	28.02.2024 <b>Application Permitted</b>	23/01636/F	Davy Field Hill Road Ingoldisthorpe Norfolk VARIATION OF CONDITION 1 AND 2 FROM PLANNING APPLICATION 23/01628/F - Reserved Major application: Residential development and new public amenity area	Ingoldisthorpe

02.10.2023	07.03.2024 <b>Application Permitted</b>	23/01788/F	10 Davy Field Lynn Road Ingoldisthorpe KINGS LYNN VARIATION OF CONDITION 1 OF PLANNING CONSENT 23/01636/F Residential development and new public amenity area	Ingoldisthorpe
27.10.2023	11.03.2024 <b>Application Permitted</b>	23/01919/F	Davy Field Hill Road Ingoldisthorpe Norfolk VARIATION OF CONDITION 1 AND 2 OF PLANNING CONSENT 23/01788/F; Reserved Major application: Residential development and new public amenity area	Ingoldisthorpe
14.11.2023	21.02.2024 <b>Application Permitted</b>	23/02035/F	Carstone 161 Lynn Road Ingoldisthorpe King's Lynn Construction of one and half storey dwelling land rear of 161 Lynn Road	Ingoldisthorpe
23.01.2024	19.03.2024 <b>Application Permitted</b>	24/00170/F	St Helier 135 Lynn Road Ingoldisthorpe King's Lynn Single storey rear extension and proposed new garage. (Existing garage to be demolished)	Ingoldisthorpe
02.12.2022	27.02.2024 <b>Application Permitted</b>	22/02163/FM	Lynn Star Distribution & Logistics Ltd Manning House Oldmedow Road Hardwick Industrial Estate Proposed Extension for Storage/Warehousing	King's Lynn

19.04.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/00716/F	6 Brancaster Close King's Lynn Norfolk PE30 3EW To extend the Dorma window in the bedroom and to extend the kitchen by removing an external wall	King's Lynn
29.06.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/01169/T3	London Road Veterinary Centre Dallas Court Hospital Walk King's Lynn APPLICATION TO DETERMINE IF PRIOR APPROVAL IS REQUIRED:	King's Lynn
06.07.2023	28.02.2024 <b>Application Permitted</b>	23/01204/F	Rear of 19 St James Street King's Lynn Norfolk PE30 5DA Change of use from storage to storage on ground floor and residential flat on first floor, including a new access door at ground level facing Regent Way.	King's Lynn
20.07.2023	26.02.2024 <b>Application Permitted</b>	23/01343/F	Patrick & Thompsons Ltd Page Stair Lane King's Lynn Norfolk Demolition, recladding and extension works to the existing timber merchant buildings, erection of a new consignment bay and timber building, improved access arrangements, alongside the provision of a new site entrance and other associated infrastructure.	King's Lynn
14.08.2023	27.02.2024 <b>Application Refused</b>	23/01489/F	Land N of 105 Gaywood Road King's Lynn Norfolk Application for 2 No. Detached Dwellings	King's Lynn

25.10.2023	16.02.2024 <b>Application Permitted</b>	23/01937/F	St Martha's Primary School Field Lane Gaywood King's Lynn Erection of 10 Flood Lights external lighting to the existing MUGA and associated installation works.	King's Lynn
01.11.2023	07.03.2024 <b>Application Refused</b>	23/01941/F	South Wootton Methodist Church Chapel Terrace Peppers Green King's Lynn Conversion of Chapel to Dwelling.	King's Lynn
06.11.2023	13.03.2024 <b>Application Permitted</b>	23/01974/F	29 Baldwin Road King's Lynn Norfolk PE30 4AL Two storey side extension, single storey rear extension and replacement porch roof.	King's Lynn
24.11.2023	28.02.2024 <b>Application Refused</b>	23/02092/F	2 Kempe Road West Lynn King's Lynn Norfolk Double Storey Rear Extension	King's Lynn
30.11.2023	27.02.2024 <b>Application Permitted</b>	23/02144/F	BCKLWN Land E of Losinga Road W of Waterside And N of Salters Road King's Lynn Norfolk VARIATION OF CONDITION 2 OF PLANNING PERMISSION 22/00622/F: (Variation of Condition 2 of Planning Permission 20/01957/FM) Construction of 78 affordable dwellings and associated access, infrastructure and landscaping	King's Lynn
05.12.2023	19.03.2024 <b>Application Permitted</b>	23/02173/FM	Ravago Building Solutions UK Ltd Estuary Road King's Lynn Norfolk New Warehouse	King's Lynn

08.12.2023	16.02.2024 <b>Application Permitted</b>	23/02199/A	Unit 1A Hardwick Retail Park Campbells Meadow King's Lynn Free standing, illuminated, 8mtr Pole Sign and Logo Head	King's Lynn
12.12.2023	27.02.2024 <b>Application Refused</b>	23/02240/F	Land And Outbuildings S of 28 And N of 30 Meadow Way West Lynn King's Lynn Proposed demolition of two existing garages with the erection of a private detached 1 bed dwelling and associated works.	King's Lynn
13.12.2023	26.02.2024 <b>Application Permitted</b>	23/02226/A	MCE Heatcool 13 Paxman Road Hardwick Industrial Estate King's Lynn The company Logo printed on a sticker to block the view into the display window area as this is used as parcel drop off zone when no one is in the office to accept deliveries. This is a white background to black out the window and the logo is printed in the middle. This is approximately 2 meters wide by 2.4 meters high.	King's Lynn

15.12.2023	14.03.2024 <b>Application Permitted</b>	23/02247/F	Tamart 6A Norfolk Street King's Lynn Norfolk Application for new decoration to an existing shop front within a conservation area, including a Change of Use from Class A1 (Shop) to Class E and Sui Generis (Café) for the serving of hot and cold drinks and food at 6A Norfolk Street King's Lynn Norfolk PE30 1AR. (Retrospective)	King's Lynn
15.12.2023	15.03.2024 <b>Application Permitted</b>	23/02248/A	Tamart 6A Norfolk Street King's Lynn Norfolk Application for advertisement consent for 1 No. non illuminated fascia sign	King's Lynn
15.12.2023	21.02.2024 <b>Would be Lawful</b>	23/02252/LDP	23 York Road King's Lynn Norfolk PE30 5RB Lawful Development Certificate: Change of use from C3 to C4	King's Lynn
18.12.2023	22.02.2024 <b>Would be Lawful</b>	23/02256/LDP	Speedy Hire Centre 2 - 4 Paxman Road Hardwick Industrial Estate King's Lynn Lawful Development Certificate: Use of building as B8 with ancillary trade counter	King's Lynn

18.12.2023	05.03.2024 <b>Application Permitted</b>	23/02258/F	Riverside Business Centre Cross Bank Road King's Lynn Norfolk Variation of condition 1 attached to planning permission 21/02449/F: Variation of Conditions 2, 14a and 25 of Planning Permission 21/00800/F: Variation of condition 25 of planning permission 20/00694/F to change allowance of daily movements.	King's Lynn
19.12.2023	13.03.2024 <b>Application Permitted</b>	23/02264/F	20 Edinburgh Avenue Gaywood King's Lynn Norfolk First floor extension to side with two storey extension to rear.	King's Lynn
02.01.2024	16.02.2024 <b>Application Permitted</b>	24/00005/A	Tesco St Faiths Drive Gaywood King's Lynn Retrospective installation of 1x 42" LCD media screen size-860(W)x2160(H)mm Screen size-530(W)x930(H) mm 2no x 1250mm x 700mm flag pole signs, overall 3350mm in height	King's Lynn
05.01.2024	22.02.2024 <b>Application Permitted</b>	24/00024/F	Seacroft Mobillity 50 High Street King's Lynn Norfolk Variation of condition 2 attached to planning permission 22/02257/F: Conversion of upper floors to form 4 dwellings with internal and external alterations.	King's Lynn



10.01.2024	06.03.2024 <b>Application Permitted</b>	24/00053/LB	Town Hall Saturday Market Place King's Lynn Norfolk Application for listed building consent for replacement of the timber lintel above the first floor window, which has heavily decayed, and also associated tying in of the stone facade. The decayed/failed lintel is at the level of the attic (second) floor. Repairs to stonework and stone mullions to windows	King's Lynn
12.01.2024	06.03.2024 <b>Application Permitted</b>	24/00069/A	Travis Perkins Hamlin Way Hardwick Narrows King's Lynn Consent to display 9 no. Aluminium composite non illuminated signage	King's Lynn
15.01.2024	12.03.2024 <b>Application Permitted</b>	24/00073/F	34, 36 And 38 Tower Street King's Lynn Norfolk PE30 1EJ Resubmission of lapsed planning permission 18/02092/F to remove existing concrete tile and asbestos sheet roof. Replace with new trussed roof and pantile. Replacement windows	King's Lynn
24.01.2024	19.03.2024 <b>Application Permitted</b>	24/00125/F	1 Hall View Road Gaywood King's Lynn Norfolk Some retrospective: Fence to boundary of the property including closing of vehicle entrance and making pedestrian access only.	King's Lynn

26.01.2024	14.03.2024 <b>Application Refused</b>	24/00147/F	27A Seathwaite Road King's Lynn Norfolk PE30 3UW Two Storey Extension.	King's Lynn
04.03.2024	08.03.2024 <b>Application Permitted</b>	23/00867/NMAM_2	Development Site E of Nar Ouse Way King's Lynn Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 23/00867/FM: Part single and part two storey GP Surgery (Class E(e)) with Access, Parking and associated works	King's Lynn
05.01.2024	13.03.2024 <b>Application Permitted</b>	24/00026/F	Elm Tree Farm 167 Leziate Drove Ashwicken King's Lynn Proposed 1 Bedroom Ground Floor Annex within existing outbuilding	Leziate
21.12.2023	22.02.2024 <b>Would be Lawful</b>	23/02280/LDP	Little Massingham Manor Station Road Little Massingham King's Lynn EXTENSION TO DWELLING ALLOWING FOR NEW GARDEN ROOM	Little Massingham
09.02.2024	18.03.2024 <b>Application Permitted</b>	24/00237/F	7 Church View Marham King's Lynn Norfolk Erection of two-storey side / rear extension, conversion of garage, upgrade of (render) wall finish	Marham

12.09.2023	16.02.2024 <b>Application Permitted</b>	23/01646/PACU3	Agricultural Farm Building NE of St Peters Farm E Side of Drove Eastern Most Building Middle Drove Marshland St James Norfolk Notification for Prior Approval: Change of Use of Agricultural Building to One Dwellinghouse (Schedule 2, Part 3, Class Q)	Marshland St James
20.12.2023	20.02.2024 <b>Application Permitted</b>	23/02271/O	Jalna 62 Smeeth Road Marshland St James Wisbech Outline Application: Erection of 1No Dwelling and formation of new access	Marshland St James
04.01.2024	28.02.2024 <b>Application Refused</b>	22/00785/NMA_1	The Fallows 28A Old Feltwell Road Methwold Thetford NON MATERIAL AMENDMENT TO APPLICATION 22/00785/F: Conversion of existing garage and single storey rear extension to dwelling.	Methwold
19.01.2024	28.02.2024 <b>Application Permitted</b>	24/00101/F	Lavender Cottage 38 Old Severalls Road Methwold Hythe Thetford Single storey rear extension	Methwold
26.01.2024	20.03.2024 <b>Prior Approval - Refused</b>	24/00151/PACU6	39 Stoke Road Methwold THETFORD Norfolk Notification for prior approval for change of use from commercial to residential - Schedule 2, Part 3, Class MA.	Methwold

29.11.2023	20.02.2024 <b>Application Permitted</b>	23/02130/F	The Forge Station Road Tower End Middleton New Boundary wall from facing bricks to match existing with tile crease and brick-on-end Engineering brick. New wall to run along elevation facing station road to corner of boundary perpendicular to road.	Middleton
11.10.2023	27.02.2024 <b>Application Permitted</b>	23/01812/F	29 Church Street North Creake Fakenham Norfolk Proposed new vehicular access from Road Hills and change of use of agricultural land to provide off road car parking to serve 29 Church Street, North Creake.	North Creake
21.08.2023	20.02.2024 <b>Application Permitted</b>	23/01533/F	King's Lynn Caravan And Camping Park Parkside House New Road North Runcton Location of 5 Timber Log Cabins of an Accessible and Amenable occupancy	North Runcton
12.09.2023	26.02.2024 <b>Application Permitted</b>	23/01641/F	33 Wodehouse Road Old Hunstanton HUNSTANTON Norfolk VARIATION OF CONDITION 2 OF PLANNING CONSENT 21/01795/F; Alterations to dwelling, proposed pergola and proposed studio.	Old Hunstanton
17.01.2024	05.03.2024 <b>Application Permitted</b>	24/00085/F	Fieldings 1A Wodehouse Road Old Hunstanton Hunstanton Proposed single storey extension and alterations	Old Hunstanton

19.01.2024	05.03.2024 <b>Prior Approval - Refused</b>	24/00102/PACU6	Fen Vista Isle Road Outwell Wisbech Notification for prior approval for conversion of existing office building within the garden of Fen Vista, Low Road, Outwell, to a one bedroom residential annexe ancillary to the house. (Schedule 2, Part 3, Class MA)	Outwell
22.01.2024	04.03.2024 <b>Application Permitted</b>	24/00112/A	Budget Store And Post Office Church Terrace Outwell WISBECH Advertisement application for Spar illuminated fascia signage to two elevations, a Spar wall panel to the right elevation and window graphics to the front elevation. Post office Fascia to front elevation. (RETROSPECTIVE)	Outwell
22.12.2023	16.02.2024 <b>Application Refused</b>	23/02296/F	8 Abbey Lakes Close Pentney King's Lynn Norfolk VARIATION OF CONDITION 2 AND 3 OF PLANNING CONSENT 21/00100/F; Proposal for single storey extensions to include dressing room, kitchen extension and en-suite extension in addition to replacing existing container storage area with purpose built 4 bay garage/boat shed with storage area above.	Pentney

21.02.2024	28.02.2024 <b>Application Permitted</b>	23/01735/NMA_1	Land S of 1 To 18 W of Foxes Lair Narborough Road Pentney Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSON 23/01735/F : Variation of condition number 2 attached to planning permission 21/01428/F: Detached 4-bed 2 storey dwelling.	Pentney
30.11.2023	29.02.2024 <b>Application Permitted</b>	21/00546/NMAM_1	Land South of Chapel Lane Ringstead Norfolk NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 21/00546/FM: 10 dwelling proposal comprising 6 buildings on a brown field site	Ringstead
30.11.2023	29.02.2024 <b>Application Permitted</b>	22/01185/NMA_1	Copper Lodge 1 Jacobs Yard Ringstead Norfolk NON MATERIAL AMENDMENT TO PLANNING APPLICATION 22/01185/F -Erection of 1 x No. two-storey house and garage	Ringstead
11.01.2024	18.03.2024 <b>Application Permitted</b>	24/00064/F	Flint Barn 20 Burnham Road Ringstead Hunstanton Single Storey Garage Extension Providing a Link Through	Ringstead
09.02.2024	18.03.2024 <b>Application Refused</b>	24/00233/O	Land At 106 School Road Runcton Holme King's Lynn Outline application for residential development - one dwelling	Runcton Holme
30.01.2024	19.02.2024 <b>Is NOT EIA Development</b>	24/00169/EIASC	Land At E569916 N329201 And S of Admirals Drive Sandringham Norfolk REQUEST FOR EIA SCREENING OPINION:Proposed Solar Array	Sandringham

09.11.2023	26.02.2024 <b>Application Permitted</b>	23/02013/F	Agricultural Field Adjacent Sedgeford Hall Estate Fring Road Sedgeford Installation and operation of a 52.9kW ground-mounted solar array	Sedgeford
15.01.2024	28.02.2024 <b>Application Permitted</b>	24/00084/F	25 The Green Shouldham Norfolk PE33 0BY Extension to boundary wall.	Shouldham
20.01.2024	20.03.2024 <b>Application Permitted</b>	24/00106/F	1 Foresters Row Norwich Road Shouldham King's Lynn Remove Chimney Stack to roof level	Shouldham
07.06.2023	27.02.2024 <b>Application Permitted</b>	23/01215/F	Potters Ridge Snettisham House St Thomas Lane Snettisham Conversion and Extension to Outbuilding to form separate Dwelling.	Snettisham
07.06.2023	26.02.2024 <b>Application Permitted</b>	23/01216/LB	Potters Ridge Snettisham House St Thomas Lane Snettisham Listed Building Application: Conversion and Extension to Outbuilding to form separate Dwelling.	Snettisham
11.07.2023	19.03.2024 <b>Application Refused</b>	23/01243/F	24A Common Road Snettisham King's Lynn Norfolk Demolition of outbuilding and construction of single dwelling following sub-division of site.	Snettisham

03.08.2023	28.02.2024 <b>Application Permitted</b>	23/01435/F	129 Lynn Road Snettisham King's Lynn Norfolk Single storey rear extension, loft conversion with balcony and associated alterations including external insulation and render.	Snettisham
04.10.2023	06.03.2024 <b>Application Permitted</b>	23/01772/F	2, 4 And 6 Common Road Snettisham King's Lynn Norfolk Construction of new dwelling in existing garden land, detached single storey garage and renovation and alteration of existing cottages.	Snettisham
20.11.2023	12.03.2024 <b>Application Refused</b>	23/02069/F	28 Common Road Snettisham King's Lynn Norfolk Demolition of existing disused retail unit and construction of new dwelling	Snettisham
21.12.2023	26.02.2024 <b>Application Permitted</b>	23/02310/F	South Wing Snettisham House St Thomas Lane Snettisham To erect 8 no. Solar PV panels to the south facing roof of car port.	Snettisham
15.01.2024	27.02.2024 <b>Application Permitted</b>	24/00071/F	Chloes Cottage 112 Grimston Road South Wootton King's Lynn Conversion and extension of existing garage to form new bedroom and lobby space.	South Wootton
02.08.2023	21.02.2024 <b>Application Permitted</b>	23/01425/RM	Service Station 14 Westgate Street Southery Norfolk Reserved Matters Application for the landscaping of the site (condition 1 of outline permission)	Southery



27.12.2023	28.02.2024 <b>Application Permitted</b>	23/02301/F	1 Westgate Street Southery Downham Market Norfolk Conversion of Existing building into 3off flats and a Village building	Southery
08.01.2024	27.02.2024 <b>Application Permitted</b>	24/00035/F	The Old Norfolk Hero Bircham Road Stanhoe King's Lynn Single Storey extensions to dwelling house	Stanhoe
30.01.2023	04.03.2024 <b>Application Permitted</b>	23/00177/RMM	Land On the South West Side of Lynn Road Stoke Ferry Norfolk Reserved Matters Application for 62 dwellings including layout, external appearance, scale and landscaping	Stoke Ferry
07.12.2023	20.03.2024 <b>Application Refused</b>	23/02196/F	Meadow View Bridge Road Stoke Ferry King's Lynn Construction of general purpose agricultural storage shed	Stoke Ferry
04.10.2023	01.03.2024 <b>Application Permitted</b>	23/01777/F	Rose Cottage Farm 164 The Drove Barroway Drove Norfolk PROPOSED DEMOLITION OF EXISTING DWELLING AND GARAGE AND REPLACEMENT WITH NEW DWELLING	Stow Bardolph
19.01.2024	08.03.2024 <b>Application Permitted</b>	24/00103/F	Stow Cricket Club Hall Drive Stow Bardolph Downham Market Application is for a Change of use of a sheep field and the construction of a new all-weather 4 lane cricket training net for use in the April to Sept months each year.	Stow Bardolph

19.01.2024	01.03.2024 <b>Application Permitted</b>	24/00104/F	3 Ashcombe House The Causeway Stow Bridge King's Lynn Single Storey Rear Extension	Stow Bardolph
15.02.2024	28.02.2024 <b>AG Prior Notification NOT REQD</b>	24/00278/AG	Land And Poultry Building At E557071 N305562 Outwell Road Stow Bridge Norfolk Agricultural Prior Notification: New agricultural building for the storage of grain produced on the holding.	Stow Bardolph
08.01.2024	04.03.2024 <b>Was Lawful</b>	24/00040/LDE	Racecourse Barn Race Course Road Terrington St Clement KINGS LYNN LAWFUL DEVELOPMENT CERTIFICATE APPLICATION FOR EXISTING; retention of outbuilding, without complying with Condition 4 of Planning Permission 04/00840/F	Terrington St Clement
05.02.2024	20.03.2024 <b>Application Permitted</b>	24/00193/F	33 New Roman Bank Terrington St Clement King's Lynn Norfolk Two storey extension to dwelling and creation of new vehicular access.	Terrington St Clement
19.02.2024	14.03.2024 <b>Application Refused</b>	22/00945/NMA_1	Church Farm House 100 Churchgate Way Terrington St Clement KINGS LYNN NON-MATERIAL AMENDMENT TO PLANNING PERMISSION 22/00945/F : Conversion and change of use of detached Barn structure to a Residential Dwelling	Terrington St Clement

27.11.2023	22.02.2024 <b>Application Permitted</b>	23/02107/F	Manor House 4A School Road Terrington St John Wisbech Siting of single storey residential annex at the rear of applicant's dwelling to allow supported living of family members (temporary consent for 3 years).	Terrington St John
08.01.2024	11.03.2024 <b>Application Permitted</b>	24/00038/F	Thornleys Barn High Street Thornham Hunstanton Extension and Alterations	Thornham
24.05.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/00956/F	Land SW of The Old Shoreboat Inn Lynn Road Tilney All Saints Norfolk Proposed Leisure Accommodation Development	Tilney All Saints
18.01.2024	28.02.2024 <b>Application Permitted</b>	24/00096/F	Westcott New Road Tilney St Lawrence WISBECH Installation of air source heat pump.	Tilney St Lawrence
13.04.2023	21.02.2024 <b>Application Permitted</b>	23/00672/FM	Lode Hall Silt Road Three Holes Norfolk Extension to existing holiday park to accommodate up to 33 holiday lodges/caravans	Upwell
13.07.2023	23.02.2024 <b>Application Permitted</b>	23/01421/F	Cley Cottage The Marsh Walpole St Andrew WISBECH Retrospective Erection of a porch, raised patio area and change of use of land to form driveway and parking area.	Walpole

05.09.2023	13.03.2024 <b>Application Refused</b>	23/01610/F	Agricultural Building SE of Bradford House Bustards Lane Walpole St Andrew Norfolk RETROSPECTIVE PLANNING FOR STORAGE SHED AND DOCK NEXT TO/ON EXISTING WILDLIFE POND	Walpole Cross Keys
28.12.2023	05.03.2024 <b>Application Refused</b>	23/02305/F	Rosecroft 9 Sutton Road Walpole Cross Keys King's Lynn Retrospective: car port on the front driveway of the house for our cars	Walpole Cross Keys
17.10.2023	13.03.2024 <b>Application Refused</b>	23/01845/F	Brick Barn And Land S of Ivy House Mill Lane Walpole Highway Norfolk Proposed Barn Conversion and extension	Walpole Highway
16.01.2024	23.02.2024 <b>Application Permitted</b>	24/00117/F	Mill Lodge Mill Bank Walpole Highway Wisbech Rear Two Storey Extension and Garage Conversion	Walpole Highway
22.05.2023	20.02.2024 <b>Application Permitted</b>	23/01090/F	Land To The West of Wheatley Bank And South of Wheatley Meadow Country Park Travellers Site Wheatley Bank Walsoken Norfolk RETROSPECTIVE APPLICATION: Change of use of land for the standing of one residential static caravan and touring caravan to include ancillary works.	Walsoken

13.09.2023	22.02.2024 <b>Application Permitted</b>	23/01651/F	The Site Lies West of Osborne Road And North of A Scrap Yard, Just Beyond The Wisbech Settlement Boundary. Erection and siting of fibre exchange telecommunications infrastructure to provide a full fibre (gigabit) to the premises service	Walsoken
28.11.2023	01.03.2024 <b>Application Permitted</b>	23/02125/O	Land South of Grassgate Farm Grassgate Lane Walsoken Wisbech OUTLINE APPLICATION WITH ALL MATTERS RESERVED: Proposed outline application for a max. 9no. commercial / industrial buildings	Walsoken
08.01.2024	05.03.2024 <b>Application Permitted</b>	24/00058/F	Popenhoe Barn Station Road Walsoken Wisbech Erection of an agricultural storage building.	Walsoken
18.01.2024	07.03.2024 <b>Application Permitted</b>	24/00094/F	The Bungalow Wilkins Road Walsoken Wisbech Variation of Condition 1 of Planning Permission 23/00655/F: VARIATION OF CONDITION 2 AND 7 OF PLANNING APPLICATION 22/00751/F - Replacement dwelling and new culvert access.	Walsoken

07.03.2024	15.03.2024 <b>Application Permitted</b>	24/00094/NMA_1	The Bungalow Wilkins Road Walsoken Wisbech NON-MATERIAL AMENDMENT to Planning Permisison 24/00094/F: Variation of Condition 1 of Planning Permission 23/00655/F: VARIATION OF CONDITION 2 AND 7 OF PLANNING APPLCATION 22/00751/F - Replacement dwelling and new culveret access.	Walsoken
06.11.2023	28.02.2024 <b>Application Permitted</b>	23/01973/F	Land On Corner of Greenhill Road And Lynn Road West Acre Norfolk VARIATION OF CONDITION 2 ATTACHED TO PLANNING PERMISSION 19/00163/F: Proposed Entry Level Exception Site for 4 single storey dwellings	West Acre
04.09.2023	01.03.2024 <b>Application Refused</b>	23/01606/F	Land East Side Station Road West Dereham Norfolk Relocation of existing access; Change of use of the land for the stationing of 10 Gypsy / Traveller plots, each containing one static home and touring caravan. Associated hard and soft landscaping and ecological enhancements.	West Dereham
29.01.2024	28.02.2024 <b>Would be Lawful</b>	24/00200/LDP	Open View The Row West Dereham King's Lynn Lawful Development Certificate: To enlarge kitchen and dining area.	West Dereham

08.02.2024	20.03.2024 <b>Application Permitted</b>	24/00223/F	Oak Lodge Mill Road West Walton Wisbech Replacement shed on the footprint of an existing Nissen Hut	West Walton
19.06.2023	20.02.2024 <b>Application Refused</b>	23/01088/F	Sunview 9 Willow Drive Setchey King's Lynn Demolition of existing dwelling with proposal for a new double storey dwelling	West Winch
27.04.2023	18.03.2024 <b>Non-determined Invalid now returned</b>	23/00883/F	50 Fitton Road Wiggshall St Germans King's Lynn Norfolk Detached one bedroom annexe, including domestic garage and therapy room for home business.	Wiggshall St Germans
07.11.2023	20.03.2024 <b>Application Permitted</b>	23/01987/F	18 Park Crescent Wiggshall St Mary Magdalen King's Lynn Norfolk Retrospective: Single Storey garden shed with attached summer house.	Wiggshall St Mary Magdalen
04.12.2023	21.02.2024 <b>Application Permitted</b>	23/02166/F	Edenfield 76 Stow Road Stow Bridge King's Lynn Conversion of existing animal hydrotherapy / cattery centre into residential and link to existing bungalow to create a residential annexe, garden room, study.	Wiggshall St Mary Magdalen
22.11.2022	14.03.2024 <b>Application Refused</b>	22/02086/FM	Alfred G Pearce Castle Road Wormegay King's Lynn Installation of solar farm	Wormegay

07.08.2023	01.03.2024 <b>Was_Would be Lawful</b>	23/01530/LDE	Lake View 1A Nar Valley Lodges Wormegay Road Blackborough End Application for a Lawful Development Certificate for the existing residential use of the park home as a single dwelling house which has been in continuous occupation for over 4 years	Wormegay
------------	--	--------------	--	----------