



Planning Committee

Agenda

**Monday, 7th October, 2024
at approximately 10.30 am**

in the

Assembly Room
Town Hall
King's Lynn
PE30 5DQ

Also available to view at:

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

*Please note – the Committee will visit the site of the major application, 23/01763/FM, prior to the meeting. It is aimed to commence the meeting at approximately 10.30 am.



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, 7th October, 2024

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

TIME: 10.30 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 Special Meeting held on Wednesday 28 August 2024 (to follow) and the Meeting held on Monday 2 September 2024 (previously circulated).

3. DECLARATIONS OF INTEREST (Page 5)

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. INDEX OF APPLICATIONS (Pages 6 - 7)

The Committee is asked to note the Index of Applications.

9. DECISION ON APPLICATIONS (Pages 8 - 197)

The Committee is asked to consider and determine the attached Schedules of Planning Applications submitted by the Assistant Director.

10. DELEGATED DECISIONS (Pages 198 - 229)

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

To: Members of the Planning Committee

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

Major Applications

Please be advised that the Committee will visit the site of the major application, 24/01763/FM as listed on the agenda, prior to the meeting. The meeting will then commence at 10.30 am.

Site Visit Arrangements

When a decision for a site inspection is made, consideration of the application will be adjourned, the site visited, and the meeting reconvened on the same day for a decision to be made. Timings for the site inspections will be announced at the meeting.

If there are any site inspections arising from this meeting, these will be held on **Thursday 10 October 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 5.00 pm on the Wednesday before the meeting will be emailed (usually by end of day Thursday) 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 before 5.00 pm two working days before the meeting, **Wednesday, 2nd October 2024**. Please contact borough.planning@west-norfolk.gov.uk or call (01553) 616818 or 616234 to register. Please note that you must have previously made representations in writing on the application that you wish to speak on to be able to register to speak.

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

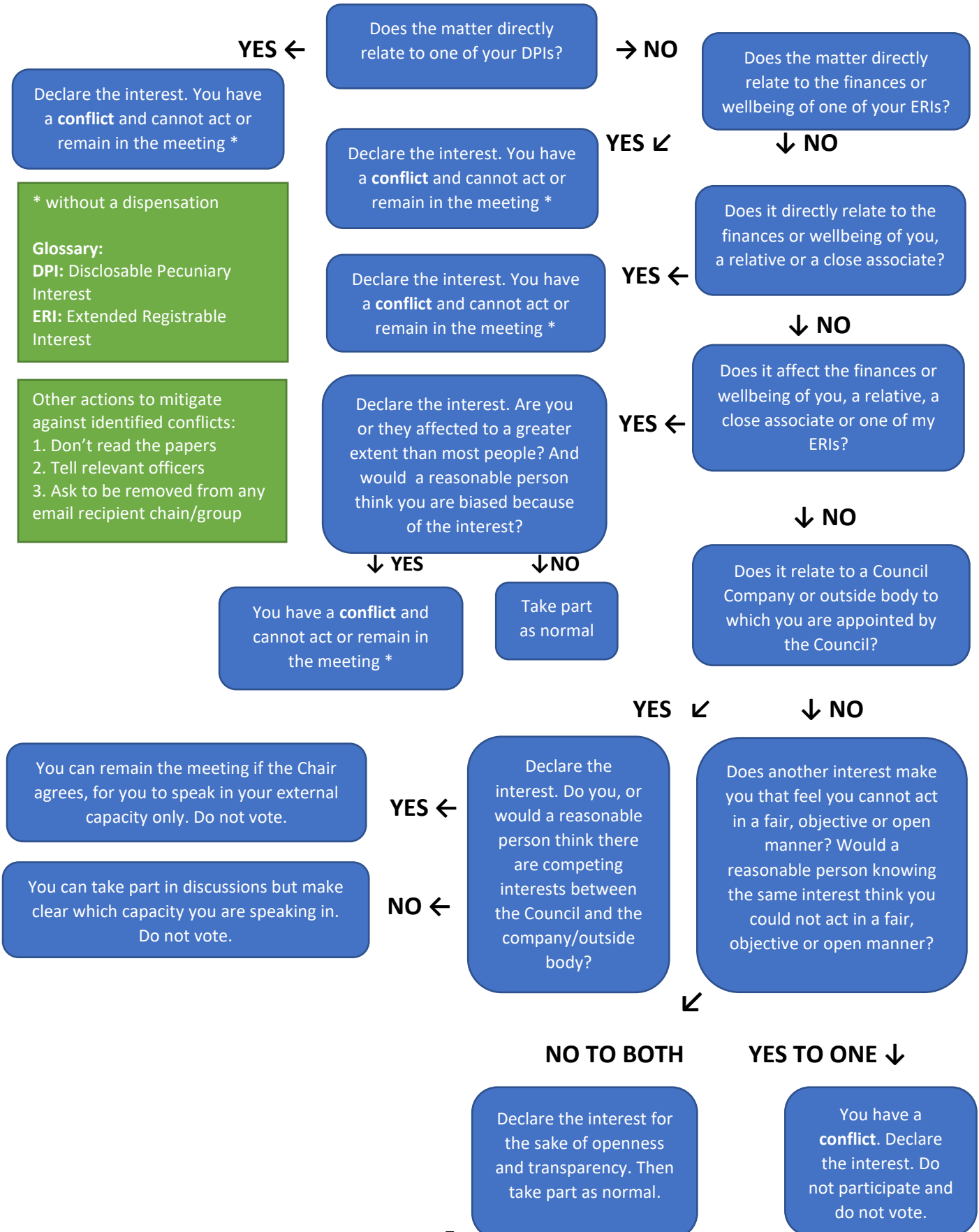
One Speaker may register under category: to object to and in support of the application. A Parish or Town Council representative may also register to speak. Each speaker will be permitted to speak for three minutes.

For Further information, please contact:
Kathy Wagg on 01553 616276
kathy.wagg@west-norfolk.gov.uk

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

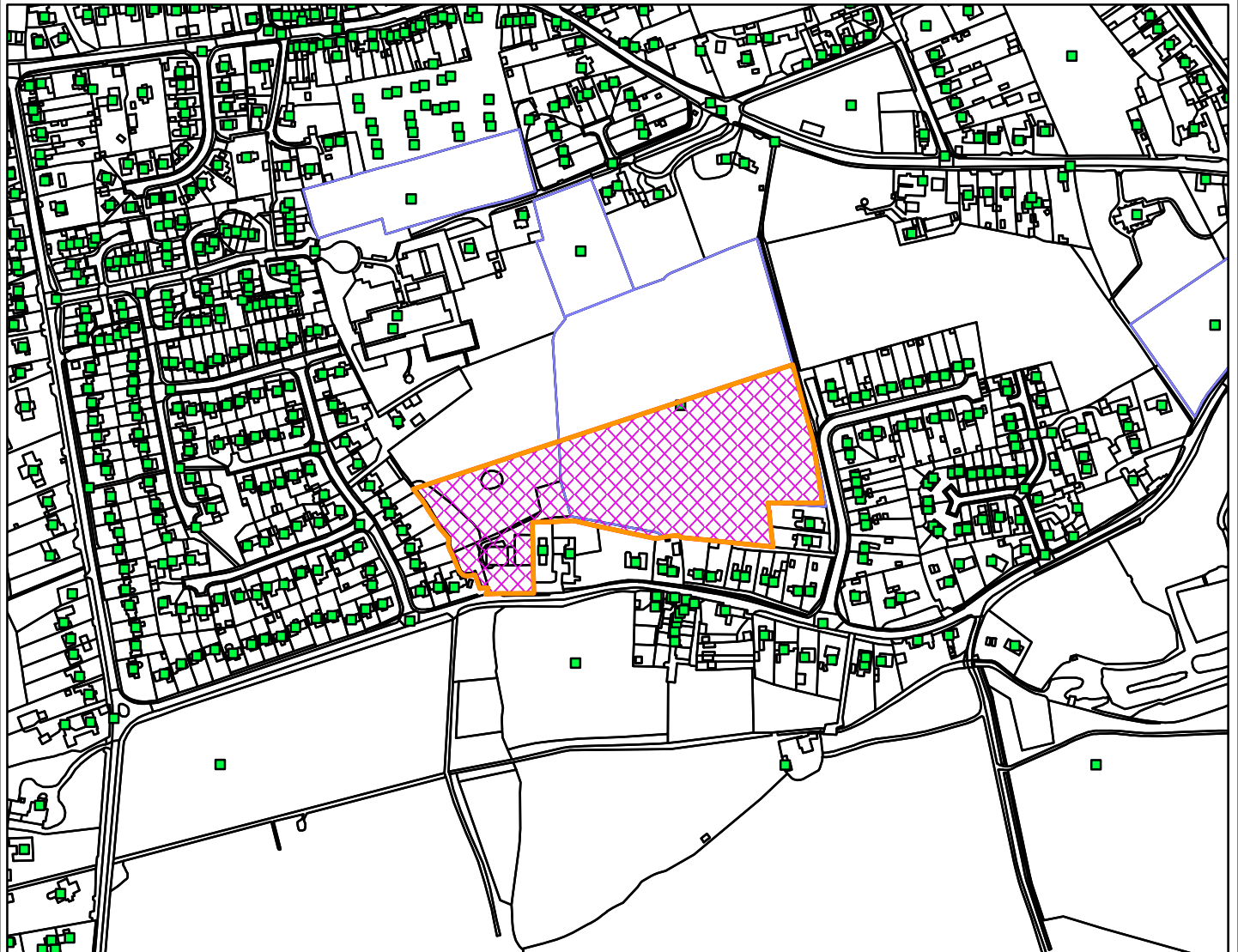
**INDEX OF APPLICATIONS TO BE DETERMINED
BY THE PLANNING COMMITTEE AT THE MEETING
TO BE HELD ON MONDAY 07 OCTOBER 2024**

Item No.	Application No. Location and Description of Site Development	PARISH	Recommendation	Page No.
MAJOR DEVELOPMENTS				
9/1(a)	23/01763/FM Manor Farm, Back Street, Gayton, King's Lynn, Norfolk PE32 1QR Proposed Residential Development of 36 dwellings involving the demolition of existing buildings	GAYTON	APPROVE	8
OTHER APPLICATIONS/APPLICATIONS REQUIRING REFERENCE TO THE COMMITTEE				
9/2(a)	24/00280/RM Land At Cross Lane, Brancaster, King's Lynn Norfolk, PE31 8AE. Reserved Matters application: Construction of one dwelling.	BRANCASTER	REFUSE	60
9/2(b)	24/00504/F 59A Manor Road, Dersingham, King's Lynn Norfolk PE31 6LH Proposed new dwelling	DERSINGHAM	APPROVE	75
9/2(c)	23/02276/F 15 Lincoln Street, Hunstanton, Norfolk, PE36 6AS New Residential Dwelling on land East of 15 Lincoln Street, Hunstanton	HUNSTANTON	APPROVE	91
9/2(d)	24/00892/F Guanock Fields, William Street, King's Lynn Norfolk PE30 5QW Change of use from light industrial/store to two Dwellings.	KINGS LYNN	APPROVE	110
9/2(e)	24/01188/F and 24/01189/LB Guildhall of St George 1 St Georges Courtyard And 29 King Street PE30 1EU Internal and external restoration and refurbishment works to existing buildings, including internal and external demolition, reconfiguration and rebuilding, minor extension(s), part change of use, associated plant and enclosures and hard and soft landscape works	KINGS LYNN	APPROVE	127

9/2(f)	24/01316/F 21 The Broadlands, The Street, Syderstone King's Lynn, Norfolk PE31 8ST Proposed detached single storey outbuilding to provide accommodation for disabled son	SYDERSTONE	APPROVE	187
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Manor Farm, Back Street, Gayton, King's Lynn PE32 1QR



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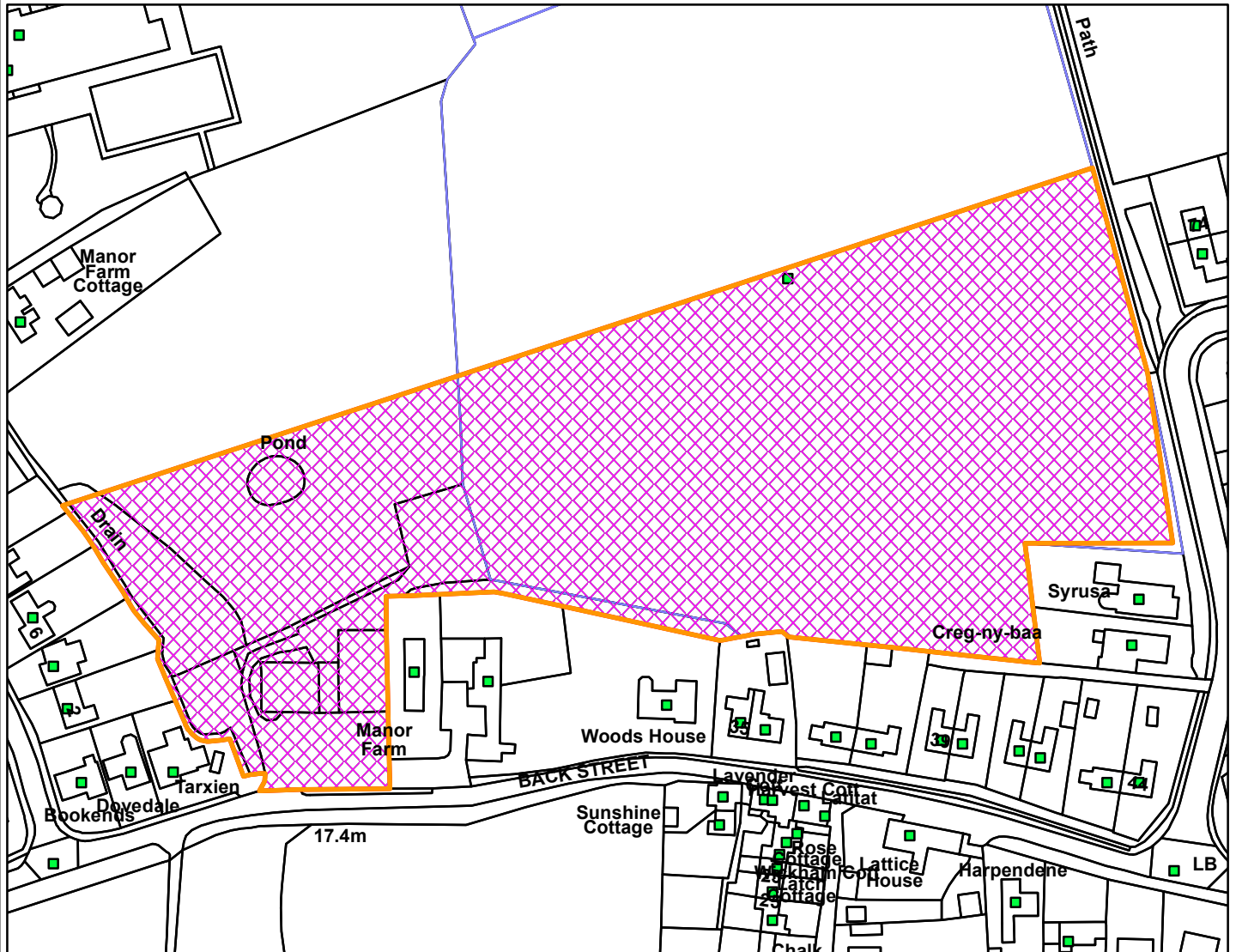
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/09/2024
MSA Number	0100024314



Manor Farm, Back Street, Gayton, King's Lynn PE32 1QR



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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	24/09/2024
MSA Number	0100024314

Parish:	Gayton	
Proposal:	Proposed Residential Development of 36 dwellings involving the demolition of existing buildings.	
Location:	Manor Farm Back Street Gayton King's Lynn PE32 1QR	
Applicant:	Gayton Investments Ltd	
Case No:	23/01763/FM (Full Application - Major Development)	
Case Officer:	Mrs N Osler	Date for Determination: 2 January 2024 Extension of Time Expiry Date: 11 October 2024

Reason for Referral to Planning Committee –The site was subject to a previously dismissed appeal, and is now recommended for approval.

Neighbourhood Plan: Yes

Case Summary

Full planning permission is sought for residential development comprising 36 dwellings consisting of a mixture of detached, semi-detached, and terraced two, three and four-bed dwellings with both two-storey and single-storey properties.

The site, which measures approximately 2.8ha, represents the housing allocation for the settlement in the Development Plan. Policy G41.1 of the Site Allocations and Development Management Plan Policies Plan, 2016 (SADMP) relates specifically to this allocation.

The site lies wholly within Flood Zone 1, although the northern boundary of the site is in an area susceptible to surface water flooding.

Key Issues

- Principle of Development
- History
- Form and Character
- Residential Amenity
- Highway Issues
- Flood Risk and Drainage
- Ecology and Biodiversity
- Trees, Landscaping and Open Space
- Contamination and Air Quality
- S106 Considerations
- Crime and Disorder
- Other Material Considerations

Recommendation: APPROVE and REFUSE

A) APPROVE subject to the completion of a S106 securing Affordable Housing, Open Space, GIRAMS fee and £500 per clause monitoring fee within 4 months of the resolution to approve.

B) REFUSE if the S106 agreement is not completed within 4 months of the resolution to approve.

THE APPLICATION

Full planning permission is sought for residential development comprising 36 dwellings consisting of a mixture of detached, semi-detached, and terraced two, three and four-bed dwellings with both two-storey and single-storey properties on a site to the north of Back Street, Gayton.

The site, which measures approximately 2.8ha, represents the housing allocation for the settlement in the Development Plan. Policy G41.1 of the Site Allocations and Development Management Plan Policies Plan, 2016 (SADMP) relates specifically to this allocation. The allocation requirements are for a site amounting to 2.8ha for residential development of at least 23 dwellings.

In August 2016 outline consent was permitted for 40 dwellings on the site. However, when a combination of reserved matters and full permission were sought on the site for a total of 46 dwellings both Planning Committee and ultimately the Planning Inspector considered this represented overdevelopment of the site. The proposal was therefore refused by planning committee in July 2020 and dismissed at appeal in August 2021.

The current proposal for a reduced number of 36 dwellings would have a density of circa 13.2 dwellings per hectare (dph) and is obviously lower than the previously refused schemes that totalled 46 dwellings and had a dph of 17.5dph. The density of development is also substantially lower than the existing neighbouring developments at St Nicholas Close, Hall Farm Road and Birch Road which are 17.8dph, 27dph and 22dph respectively.

The dwellings would comprise:

- 7no. detached bungalows: 5 x 3-bed (plots 2, 3, 5, 6 and 14) and 2no. 2-bed (plots 4 and 7),
- 8no. detached 4-bed houses (plots 1, 13, 20, 26, 29, 32, 33 and 34),
- 6no. pairs of semi-detached houses (12no. dwellings): 10 x 3-bed (plots 11, 12, 18, 19, 21, 22, 25, 30, 31 and 36) and 2 x 2-bed (plots 27 and 28) and
- 3no. pairs of terraces (9no. dwellings): 6 x 3-bed (plots 8, 9, 10, 15, 16 and 17) and 3 x 2-bed (plots 23, 24 and 25.)

Seven affordable units would be provided of which 2no. would be bungalows (1 x 2-bed and 1 x 3-bed); the remaining would be two-storey dwellings (3 x 3-bed and 4 x 2-bed.) These are well pepper-potted throughout the site and located at plots 5, 7, 10, 15, 23, 28 and 35.

The palette of materials would comprise a mixture of:

Walls:

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- Red multi brick,
 - Cream brick,
 - Flint infills,
 - Render elements (cream), and
 - Cedar cladding elements (on single storey dwellings only)
- *Roof:*
 - Sandtoft Arcadia pantiles (red), and
 - Marley Eternit Birkdale Slate.
- *Door and Window Frames:*
 - Grey / Green uPVC casement,
 - Grey uPVC casement, and
 - White uPVC casement.
- *Rainwater Goods:*
 - Black gutters and downpipes.

The two-storey dwellings would have a main ridge height varying between 9.6m and 8.4m and a main eaves height varying between 5.4 and 5m; and the single-storey dwellings would have a main ridge height varying between 6.4m and 5.7m and a main eaves height of 2.4m. All two-storey dwellings would have chimney stacks.

Boundary treatments would consist of 1.8m high close boarded timber fencing between the rear gardens of the new dwellings and where the rear gardens are adjacent to dwellings fronting Back Street, 1.2m high post and rail fence along the northern boundary of the site which would include native hedgerows where these boundaries are property boundaries. Frontage hedgerow planting is proposed as are street trees and each property would have a tree planted in their rear garden.

Any property that does not benefit from a garage would be provided with a garden shed and all mid-terrace properties benefit from rear pedestrian access.

SUPPORTING CASE (provided by agent):

This Statement supports the Application for 36 proposed dwellings, including 7 affordable dwellings, at Manor Farm, Back Street Gayton, which is allocated in the Local Plan for residential development.

The site is allocated under reference G41.1 of the Site Allocations and Development Management Policies Plan 2016 and the proposal fully meets the allocation criteria; the proposal includes integration with the Public Right of Way to the East, secures improvements to this right of way via condition, provides continuous footpath links to the school, includes affordable dwellings pepper potted throughout the site which is in Flood Zone 1, and incorporates a compliant SUDs drainage strategy with infiltration, attenuation and flow control to limit the run off rate, which has the support of the LLFA and Anglian Water. Anglian Water have also confirmed that there is adequate capacity at Grimston Water Recycling Centre.

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As members may well be aware this site has previously benefitted from Outline Approval for 40 dwellings, however, a scheme for 46 units was refused and subsequently dismissed at appeal with the Inspector noting that the principle of 40 dwellings on this site had been accepted. However, it was considered that the development of the land for 46 dwelling would result in a tighter urban grain of development which would be out of keeping with the spacious and semi-rural pattern of development in the immediate surroundings.

The comments made by the Inspector have been fully addressed with this proposal. In addition, this scheme has evolved through the planning application process (including pre-application advice), and we have worked closely with the Planning Officer and Statutory Consultees as well as consulting with the Parish Council to secure a positive recommendation with no statutory objections and support of the Parish Council. We would like to extend our thanks to all stakeholders in this process.

The scheme comprises of 36 dwellings with a varied housing mix that has been informed by the neighbourhood plan and comments from the housing enabling officer. The scheme benefits from a mixture of detached, semi-detached, and terraced 2, 3 and 4-bed dwellings with both 2-storey and single-storey properties. The site has an area of circa. 2.8ha and the development will equate to a development density of approximately 13.2dph. The proposed density is therefore significantly lower than the existing neighbouring developments at St Nicholas Close, Hall Farm Road and Birch Road which are 17.86dph, 27dph and 22dph respectively.

The reduction in the number of dwellings and lower density proposed has allowed for a looser grain of development and more generous front garden areas, as well areas of open space exceeding policy requirements. The site can comfortably accommodate 36 dwellings while providing a high level of private and public amenity space, maintaining separation distances from existing and proposed neighbouring properties, incorporating green spaces, landscaping, street trees, at least one tree in each rear garden and, spacious front and rear gardens. The scheme also maximises existing site features retaining the woodland to create a green and welcoming gateway, as well as delivering a sustainable drainage scheme and biodiversity net gain.

This approach, with a looser grain, delivers a well thought out scheme that reflects the form and character of the area and has a verdant appearance, which has addressed the concerns raised by the Inspector, met neighbourhood, local and national policy and has the support of the Planning Officer's and Parish Council.

As such, we respectfully request that you support the application with the conditions deemed appropriate.

PLANNING HISTORY

22/00797/CM: NO OBJECTION TO NCC APP: 27/07/22 - COUNTY MATTERS APPLICATION: Provision of a temporary construction contractors car park and pedestrian access. County Matters application approved 01/07/22. Temp consent granted until 31/12/22.

19/00694/RMM: Application Refused: 02/07/20 - RESERVED MATTERS: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings. Committee Decision. Appeal Dismissed 25/08/21. Appeal decision attached for reference.

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19/01831/F: Application Refused: 02/07/20 - Construction of 2 detached dwellings and 4 semi-detached dwellings. Committee Decision. Appeal Dismissed 25/08/21. Appeal decision attached for reference.

15/01888/OM: Application Permitted: 04/08/16 - Outline application: Residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings. Committee Decision.

RESPONSE TO CONSULTATION

Gayton Parish Council: SUPPORTS this planning application.

If the Borough Council decided to approve this application the Parish Council asks that the following conditions are applied. The Gayton and Gayton Thorpe Neighbourhood Plan policy numbers have been included.

1. The Parish Council would like to ensure that the Sustainable drainage systems (SuDS) to manage stormwater are properly assessed by an expert. (NP policy G10 Development and surface water flood risk.)
2. To help Biodiversity (NP Policy G10 – Development and Biodiversity) we insist on the installation of Bat and swift boxes and other such measures. (Ecological Impact Analysis Report Section 7: Enhancements)
3. The Parish Council support affordable housing and would like to ensure that the affordable housing is prioritised to people with a local connection. (Policy G8 - Land North of Back Street)
4. Gayton Parish Council has a dark skies policy, and we would request that all light spillage is reduced, and shields are applied to lighting at the back of the houses. (NP Policy G12 - Dark Skies)

Highways Authority (NCC): NO OBJECTION: subject to conditions relating to off-site highway improvement works (including improvements to the PROW and footpath connection to Back Street), construction worker parking, on-site road and footpath details and provision, visibility splays, and parking provision in accordance with the approved plans.

PROW (NCC): NO OBJECTION: We have no objection in principle to the application but would highlight that a Public Right of Way, known as Gayton Footpath 9 is aligned along the track adjacent to the Eastern boundary of the site. The full legal extent of this footpath must remain open and accessible for the duration of the development and subsequent occupation.

Community Safety and Neighbourhood Nuisance (BCKLWN): NO OBJECTION subject to conditions relating to drainage, construction management and site hours, lighting, air source heat pumps, and solid fuel heating and an informative relating to noise, dust, etc.

Open Space Team (BCKLWN): NO OBJECTION subject to a condition relating to appropriate fencing / boundary treatment in relation to the attenuation basin.

Lead Local Flood Authority (NCC): NO OBJECTION subject to conditions being attached to any consent if the application is approved.

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

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Anglian Water: NO OBJECTION subject to a condition relating to surface water connection with Anglian Water network and various informatives relating to the presence of assets and the connection process.

Environment Agency: NO COMMENTS TO MAKE

Historic Environment Service (NCC): NO OBJECTION We note that a considerable amount of archaeological work was carried out in relation to a previous application (15/01888/OM). Evidence has come to light since 2015 that questions the dating and interpretations of the archaeological features identified by previous geophysical survey and archaeological trial trenching. There is potential for previously unidentified heritage assets with archaeological interest (buried archaeological remains) to be present within the current application site and that their significance would be affected by the proposed development.

If planning permission is granted, we therefore ask that this be subject to a programme of archaeological mitigatory work in accordance with National Planning Policy Framework (2021), Section 16: Conserving and enhancing the historic environment, para. 205 which should be secured by condition.

Strategic Housing (BCKWN): NO OBJECTION subject to securing affordable housing via a S106 Agreement which is policy compliant and is dispersed across the site.

Natural England: NO OBJECTION subject to securement of appropriate mitigation (GIRAMS payment) in relation to impact on protected sites as outlined in the shadow Habitats Regulations Assessment that accompanied the application which is of a standard that can be adopted by the Local Planning Authority as Competent Authority.

Senior Ecologist (BCKLWN): NO OBJECTION subject to Biodiversity Net Gain (BNG), a Landscape and Ecology Management Plan (LEMP) and Habitat Mitigation and Monitoring Plan (HMMP) be conditioned if permission is granted.

Planning Obligations (NCC): NO OBJECTION There is currently spare capacity within the Early Education and Primary Education sectors. However, there is insufficient capacity in the Secondary Sector catchment, and 5 places will be required to be funded through CIL as will 0.36 SEND places (Special Educational Needs and Disabilities.) Total education contribution required £161,471.20.

A library contrition of £3,600 is required.

A fire hydrant will be required to serve the development. This should be secured by condition.

Environmental Health & Housing – Environmental Quality (BCKLWN): NO OBJECTION subject to conditions relating to contamination, asbestos containing materials, electric vehicle charging strategy and submission of energy report and an informative relating to solid fuel heating systems.

Conservation Officer (BCKLWN): NO OBJECTION although the preference would be to have hedging as boundary treatment between properties rather than fencing.

Arboricultural Officer (BCKLWN): NO OBJECTION subject to conditions relating to tree protection, hard and soft landscaping, landscape establishment and protection and woodland management.

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Police Architectural Liaison Officer: NO OBJECTION

It is clear to see that this design has carefully incorporated many Secured by Design principles, and there is no reason why this proposed development would not easily achieve Secured by Design Gold Award.

CIL Team (BCKLWN): This application will be CIL liable, although they will be able to apply for relief for the houses that are going to be registered social housing. This isn't automatically granted, so they'll need to be aware that there are CIL requirements prior to starting work on site, including submitting forms in order to claim the exemption.

Emergency Planning Officer (BCKLWN): NO COMMENTS TO MAKE.

UK Powers Networks: NO OBJECTION Information provided in relation to UK assets in the locality.

REPRESENTATIONS

Following the first set of amendments in June 2024 only two letters of **OBJECTION** were received. The reasons for objection can be summarised as:

- Overlooking,
- Loss of views,
- Additional housing is not required, and this would result in overdevelopment of the village,
- Services and facilities are not adequate to cater for the additional dwellings, and
- There are recurring problems with sewerage and surface water drainage.

Original Submission: 29 letters of **OBJECTION** were received following the initial submission of the application. The reasons for objection can be summarised as:

- The village does not have the infrastructure (doctor, the school and nursery are full, etc.) necessary to cope with this development,
- There are new houses already for sale in the village that are not selling,
- Intensification of traffic on Back Street which is not an appropriate road to serve the development being single lane with no footpaths. This will result in conflict between vehicles and pedestrians,
- Impact on wildlife / loss of wildlife corridor,
- Do not turn this village into a town,
- Loss of arable land,
- Loss of green space,
- Problems with sewage, drainage and flooding,
- The Neighbourhood Plan indicates an objection to building in the green space in the centre of the village,
- The village has major drainage issues,
- Increased noise, air and light pollution,
- Internet speed and access is already poor,
- A new traffic survey should be undertaken. The last one is out-of-date and a lot has changed in the village since then (2015) including a number of new residential developments,
- None of the houses will be affordable to people who live in the village so residents will not benefit from the development,

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- Loss of privacy,
- Affordable housing provision is not in line with the Neighbourhood Plan
- There are better alternative sites,
- Imbalance between local jobs and homes,
- Loss of outlook,
- Impact on dark skies,
- Please note there is a conflict of interest between Mr Marsham & Councillor Alistair Beales (Gayton Estate & J & C Farm Manager, Councillor for Massingham & Castle Acre Ward & Parish Councillor for Gayton) We presume the council is aware of this & will monitor this accordingly, and
- The applicant suggested at the Parish Council meeting that they would be providing solar panels; however, no solar panels are proposed.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

CS14 - Infrastructure Provision

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM16 – Provision of Recreational Open Space for Residential Developments

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

G41.1 Gayton - Land north of Back Street

NEIGHBOURHOOD PLAN POLICIES

Policy GA01 - Creating Neighbourhoods

Policy GA02 - Providing 'Green Infrastructure'

Policy GA03 - Ensuring Transport Infrastructure

Policy GA04 - Design of 'Relief Road'

Policy GA05 - Principles of New Development Design

Policy GA06 - Residential Street Design

Policy GA07 - Cycle and Footpath Provision

Policy GA08 - Provision for Public Transport

Policy GA09 - Opportunities for Small Scale and Self Build Development

Policy GA10 - Provisions for a Successful Primary School

Policy G11 - Development and Foul Waste Water

Policy G12 - Dark Skies

Policy G14 - Development and Open Space Provision

Policy G15 - Roads and Green Infrastructure

Policy G16 - Development and Biodiversity

Policy G17 - Preserving the Landscape Character

Policy G18 - Rural routes for non-motorised users: The rural footpath network and the public rights of way network

Policy G19 - Maintaining a walkable and well-connected village.

Policy G21 - Car and bicycle parking policy

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations in the determination of this application are:

Principle of Development

History

Form and Character

Residential Amenity

Highway Issues

Flood Risk and Drainage

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Ecology and Biodiversity
Trees, Landscaping and Open Space
Contamination and Air Quality
S106 Considerations
Crime and Disorder
Other Material Considerations

Principle of Development:

The site is allocated for residential development under Policy G41.1 of the Site Allocations and Development Management Policies Plan (SADMPP.)

The allocation process would have considered the appropriateness of the site in terms of its location within and impact upon the services and facilities of the settlement.

Policy G41.1 describes the site as 'Land amounting to 2.8 hectares north of Back Street as shown on the Policies Map'. It is allocated for residential development of at least 23 dwellings and is subject to compliance with the following:

1. Suitable improvements and integration with the Public Right of Way east of the site,
2. Demonstration of safe access onto Back Lane and a continuous footpath linked to Back Lane and to the existing School,
3. Submission of details showing how sustainable drainage measures will be incorporated into the development to avoid discharge to the public surface water network, and also to the amenity and biodiversity of the development. A suitable plan for the future management and maintenance of the SUDS should be included with the submission,
4. Development is subject to prior submission of details showing a suitable and deliverable scheme that would create the required capacity at Grimston Water Recycling Centre,
5. Provision of affordable housing in line with the current standards.

It can be confirmed, and will be shown, in the following report that the proposed development accords with all the above criteria.

There are obviously other relevant national and local planning policies and guidance that the development will need to accord with. However, the principle of development of the site for residential development is to be supported, given its allocation for such within the Development Plan.

History:

The site benefitted from outline planning permission granted under application 15/01888/OM, which has now elapsed, for up to 40 dwellings. A subsequent Reserved Matters application for 40 dwellings on most of the site and a full planning application for 6 dwellings on the remainder of the site were submitted under applications 19/00694/RMM and 19/01831/F respectively. These applications were refused by planning committee for reasons of:

- Form and character (given that the total amount of dwellings would have exceeded the approval for 40 dwellings under 15/01888/OM),
- Lack of garages for several of the properties (which committee considered would result in reduced levels of amenity for occupiers of these properties), and
- The proposed fencing was inadequate to prevent crime and disorder.

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The decisions were appealed and dismissed. However, the refusals were only upheld insofar as character and appearance were concerned, with the Inspector concluding that there would be no harm in respect of residential amenity due to a lack of garaging for some properties and that the proposed boundary treatments would be acceptable in terms of crime prevention.

In their decision the Inspector noted that the principle of 40 dwellings on this site had been accepted. However, they considered that the development of the land for 46 dwelling would result in a tighter urban grain of development which would be out of keeping with the spacious and semi-rural pattern of development in the immediate surroundings.

The appeal decision statements are appended to this report for completeness.

Form and Character:

The site lies in the southern part of the village but is well integrated with the village and has residential built form to its immediate east and west. Additionally, the new primary school is located to the north of the site, separated by a field. Connections to the school and the wider settlement exist via an existing public right of way (PROW) to the immediate east of the site which requires some improvements as part of the allocation policy requirements and would be suitably conditioned if permission were granted. A footpath connection onto Back Street to the immediate west of the main site access would also ensure continuous footpath connection to both the school and the wider settlement, again this would be conditioned if permission were granted. Long views are limited, but where they do exist the proposed development would be read in relation to the existing residential built form.

The site lies between pairs of semi-detached single and two storey council / ex council properties to the east (St Nicholas Close) and southeast (Back Street.) Two more modern bungalows / chalet bungalows lie to the immediate southeast corner of the site, Fieldside (which is identified as Syrusa on the plans) is a chalet bungalow and Creg-ny-baa is a bungalow. Running parallel to the south of the site are older properties fronting Back Street comprising detached and semi-detached dwellings whilst on the opposite side of Back Street terrace units can also be found. To the west are the more modern dwellings of Birch Road (part of the Willows Estate) that are separated from the site by an area of retained woodland.

As such there is a wide variety of dwelling types, ages, scales, masses, materials and densities in the immediate locality of the site although the vast majority are two-storey with the occasional bungalow interspersed.

The layout is that of a comprehensive estate type development that again can be seen throughout the settlement of Gayton.

Paragraph 135 of the NPPF states *Planning policies and decisions should ensure that developments:*

- a) *will function well and add to the overall quality of the area, not just for the short term but over the lifetime of the development;*
- b) *are visually attractive as a result of good architecture, layout and appropriate and effective landscaping;*
- c) *are sympathetic to local character and history, including the surrounding built environment and landscape setting, while not preventing or discouraging appropriate innovation or change (such as increased densities);*

- d) *establish or maintain a strong sense of place, using the arrangement of streets, spaces, building types and materials to create attractive, welcoming and distinctive places to live, work and visit;*
- e) *optimise the potential of the site to accommodate and sustain an appropriate amount and mix of development (including green and other public space) and support local facilities and transport networks; and*
- f) *create places that are safe, inclusive, and accessible and which promote health and well-being, with a high standard of amenity for existing and future users; and where crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion and resilience.*

These objectives are reflected in Core Strategy Policies, CS01, CS08, CS13 and DM15 as well as Neighbourhood Plan Policies G2 and G9 which require, amongst other things, consideration of scale, mass, density, design, materials and should ensure development recognises and reinforces local characteristics.

As outlined earlier in this report, the density of development has been significantly reduced from the refused and dismissed schemes and is also significantly lower than neighbouring residential developments.

The reduction in the number of dwellings has resulted in a looser grain of development, which together with frontage hedge planting and street trees, would give a more verdant feel to the proposed development.

The development would benefit from a range of housing types (detached, semi-detached and terrace), scale (single and two-storey), and size (2, 3, and 4-bed units) as required by Neighbourhood Plan Policy G6.

Likewise, the mix of materials (red multi brick, cream brick, flint, cream render and to a lesser extent cladding) is representative of Gayton of which there are examples of all these materials within the nearby built form.

The layout of any development, with access from Back Street being a policy requirement and the site extending primarily eastwards behind existing residential development fronting Back Street, would always have realistically required a loop road of some description to enable the development to optimise the use of the land.

The loop road would extend around an area of open space that is well overlooked and would include a Local Area of Play (LAP.) This area of open space is in addition to the retention of the woodland area to the northwest of the access road and open space incorporating part of the SUDS scheme to the north of the access road. This provides well in excess of policy requirements in terms of open space provision.

Neighbourhood Plan Policy G4 refers the reader to Appendix B in relation to non-designated heritage assets. Appendix B identifies Manor Farmhouse, to the immediate east of the site, as a non-designated heritage asset, and describes the property as follows: *The frontage is mostly chalk lump (clunch in the vernacular) with the single storey northern end being flint outside and chalk inside. The smaller barn to the west is carrstone and brick and is thought to be the oldest building on the site. The whole house and barn were fully renovated in 2000 with UPVC sash windows replaced with timber, original buff pantiles sourced and used and chalk walls in what is now the drawing room, renovated solely with existing materials from the site. A further significant extension was added in 2005.* Para 14 continues by stating that the property is of *local historic interest and association. It is a distinctive vernacular house, in*

a prominent landmark position, contributing to the rural community of Back Street. The style, form and construction of the building is easily identifiable.

Policy 209 of the NPPF states *The effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing 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 impact of development on the historic environment is reiterated in Development Plan Policies CS01, CS08, CS12 and DM15.

In relation to this aspect neither the Conservation Officer nor Parish Council have raised concerns in relation to the impact of the development on Manor Farmhouse, and your officers consider that the development would not result in any material harm to this non-designated heritage asset.

In summary, the scheme is considered to be a high-quality scheme that takes the opportunities available to it, would function well, is permeable with good pedestrian connections, would be visually attractive and recognises and reinforces local characteristics.

It is therefore considered, in relation to form and character, that the development accords with the NPPF in general and specifically to paragraph 135 of the NPPF, Development Plan Policies CS01, CS08, CS12, CS13 and DM15 and Annex B and Policies G2, G4 and G9 of the Neighbourhood Plan.

Residential Amenity:

Paragraph 135f) of the NPPF requires development to offer a high-level amenity to both existing and future users of the site. This is reiterated in Development Plan Policy DM15 and Neighbourhood Plan Policy G9. Neighbour amenity includes, but it not limited to, overlooking, overshadowing, and overbearing impacts and noise.

The site layout has fully taken account of discussions with the planning officer in terms of distances from boundaries and distances between habitable window to habitable window of all new dwellings and existing surrounding residential development that could result in overlooking (i.e., from any first-floor window.) The closest habitable to habitable window distance is between plot 8 and No.35 Back Street and is 29m, which exceeds the minimum the LPA endeavours to achieve of 21m identified in a previous Ombudsman decision elsewhere in the borough.

Plot 2 is closest to a permitted, but yet to be built, dwelling to the east. However, both dwellings would be single storey and would be separated by a 1.8m close boarded timber fence thus ruling out any material overlooking.

The distances achieved also mean that there would be no material overbearing or overshadowing impacts.

Likewise, all inter-developmental relationships that raised initial concerns have been addressed by amendments, and there would be no unacceptable overlooking, overbearing or overshadowing impacts between properties within the proposed development.

In relation to noise, UK Power Networks (UKPN) outlined the location of a substation and both overhead and underground cables. Acceptable parameters for development in proximity to the substation were given by UKPN which it can be confirmed the development conforms with (plot 14, the closest plot to the substation is 10m from the substation (3m

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further than requirements given the substation is located within 'housing'.) Notwithstanding, given that the Community Safety and Neighbourhood Nuisance Team have had previous experience of complaints from occupiers of dwellings near to substations, they suggest installation of an enhanced boundary treatment to plot 14. This would be suitably conditioned (within the landscaping condition) if permission were granted.

In relation to overhead and underground cables UKPN has confirmed, if necessary, diversion would have to be undertaken at the expense of the developer. This would be undertaken under separate legislation.

It is therefore considered, in relation to residential amenity, that the development accords with the NPPF in general and specifically to paragraph 135f) of the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy G9.

Highway Issues:

Safe and suitable access for all users, in accordance with paragraph 114b) of the NPPF and development Plan Policies CS11 and DM15 has been shown via Back Street which is an allocation policy requirement (G41.1)

It is considered that the proposed development, subject to conditions, would meet these aspirations.

Additionally, the NPPF makes it clear, at paragraph 115, that *Development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.*

The Local Highway Authority raise no objection on the grounds of highway safety. Likewise, they raise no objection in relation to parking provision the latter of which is policy compliant. They do however require plans for the improvements to the adjacent PROW (which is also a policy requirement), and this would be suitably conditioned if permission were granted.

Cycle storage would either be within garages or, where garages are not provided, within garden sheds.

It is therefore considered, in relation to Highway Issues, that the development accords with the NPPF in general and specifically to paragraphs 114, 115 and 116 of the NPPF, Development Plan Policies CS01, CS08, CS12, CS13, DM15 and G41.1, and Neighbourhood Plan Policy G21.

Flood Risk and Drainage:

The area lies within Flood Zone 1, although the northern boundary of the site lies within an area at risk of surface water flooding and the whole of the site is in a groundwater risk area as identified in the Local Authority's Strategic Flood Risk Assessment (SFRA) and Environment Agency (EA) mapping.

Paragraphs 173C) and 175 of the NPPF require major developments to incorporate sustainable drainage systems unless there is clear evidence that this would be inappropriate. This is reiterated in Development Plan Policies CS08 and G41.1. Furthermore, Neighbourhood Plan Policies G10 and G11 relate specifically to surface and foul water drainage respectively.

Additionally, the LPA is aware of widespread concern in relation to drainage (both surface and foul) in Gayton from the Local Parish Council and those living in the village.

Ultimately drainage is controlled under Building Regulations. Nevertheless, the purpose of the planning system is to achieve sustainable development which includes the most sustainable approach to surface water disposal in accordance with the surface water hierarchy contained within Building Regulations.

The Lead Local Flood Authority have also been involved with this application, and the drainage strategy for the site has been produced with input from them, and Anglian Water have stated that wastewater capacity (at Grimston Water Recycling Centre) will have available capacity for the foul drainage associated with the development.

However, given the concerns of the Parish Council and those living in Gayton, the proposed drainage is outlined in relative detail below. Full drainage details, including existing drainage details, can be viewed on the planning portal.

SUDS:

- The NPPF, Development Plan and Neighbourhood Plan all seek the provision of sustainable drainage systems (SUDS) in major developments such as this,
- SUDS manages surface water by slowing down and reducing the amount of run-off from a development, by mimicking, as far as possible, nature drainage systems. This helps to ensure downstream flooding is not increased whilst also reducing the risk of pollution to receiving water bodies,
- SUDS can also provide opportunities to enhance biodiversity,
- SUDS involves a range of techniques including green roofs, rainwater harvesting, soakaways, filter drains, permeable pavements, rain gardens, grassed swales, pond, etc.,
- Infiltration will be used in areas where a 1.2m dry zone can be established beneath the base of the infiltration feature,
- Shallow permeable paving for driveways and shared surfaces has been shown to be viable for the whole site,
- For those areas where infiltration features cannot be used due to groundwater levels, the drainage strategy proposes a connection to a surface water body (which has been assessed by Anglian Water, who raise no objection subject to condition) and
- Where greenfield runoff rates cannot be achieved, any additional volume should be stored and released at a low rate that would not increase downstream flood risk; this is governed by specific standards which the Lead Local Authority are satisfied can be met and would be secured by the condition they have requested.

Proposed Drainage:

- The site is divided (east / west) into two zones based on height above groundwater levels,
- Private driveways and parking spaces will have permeable surfaces in both zones,
- All roof areas include a 10% allowance for urban creep,
- Patios will be designed to be permeable paved,
- Adoptable roads will drain to the receiving drainage system via a filter strip and filter drain; the drain will also be the public surface water sewer as it receives the flows from the dwellings,
- The public surface water sewer in the eastern zone will discharge to a combined public open space / infiltration basin. The public surface water sewer serving the western zone

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discharges to an existing surface water sewer in the driveway of “Tarxien” on Back Lane via a detention basin,

- The infiltration basin design is based on an infiltration rate of 2×10^{-5} ,
- The attenuation basin is only 675mm above groundwater levels so will be unlined or clay lined to avoid uplift of membranes. The level and proximity of the ditches to the west and south suggest that risk of groundwater levels rising higher than the base of the basin are low, and
- The detention basin will attenuate all flows and limit the discharge to the local ditch system to a rate dictated by the minimum orifice size allowable by Anglian Water, who will adopt the flow control.

In summary, the surface water drainage strategy for the site is largely to utilise Sustainable Urban Drainage Systems; however, a connection to Anglian Water surface water sewer is also being proposed.

No objections have been received from statutory consultees in relation to foul or surface water drainage and the drainage strategy including connecting to Anglian Water systems would be suitably conditioned if permission were granted.

It is therefore considered that the development accords with the drainage hierarchy, the NPPF in general but specifically paragraphs 173c) and 175 of the NPPF, Development Plan Policies CS08 and G41.1 and Neighbourhood Plan Policies G10 and G11.

Ecology and Biodiversity:

The NPPF places great weight on protecting and enhancing habitats and biodiversity, with Chapter 15 of the NPPF concentrating on this subject that includes protected sites, habitats, and species.

This is reiterated in Development Plan Policy CS12 and Neighbourhood Plan Policies G14 and G16.

Designated [European] Protected Sites: The site lies within the Zone of Influence of a number of protected sites. The application was accompanied by a shadow Habitat Mitigation Assessment (sHRA) that suggests that payment of the Green Infrastructure Recreational Avoidance Mitigation Scheme (GIRAMS) fee would suitably mitigate impacts from the proposed development. This has been agreed by both Natural England and the Local Authority’s Senior Ecologist. The GIRAMS fee will be secured via the S106 Agreement in accordance with Development Plan Policy DM19.

An Ecological Impact Assessment (EIA) was submitted in support of the application. The report outlines the site and states that it is primarily comprised of modified grassland, hardstanding, arable land with a small area broadleaved woodland and a dry pond. The assessment also included agricultural buildings present on the site (which will be demolished as part of the development), and the area of woodland along the western boundary which is described as a belt of tree dominated by sycamore and polar.

Protected Species: The assessment of the buildings found negligible potential to support bat roosting which supports previous survey evidence from 2015 which found the same.

The pond on site was found to be dry and vegetated over and no other ponds were identified within 250m. The likelihood of great crested newts on the site was therefore considered to be low as was the likely presence of reptiles. The site was considered negligible for badgers and bats.

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Biodiversity Net Gain / Ecological Enhancements: The application was submitted prior to introduction of statutory biodiversity net gain. Nevertheless, Neighbourhood Plan Policy G16 requires *measurable net gain for biodiversity [in all locations.]*

The Local Authority's Senior Ecologist suggests that *"A development at this scale has the potential to offer meaningful habitat enhancement and value to local biodiversity.*

The woodland belt to the west of the site must be maintained and could be further enhanced to strengthen the connection of this habitat to those within the wider landscape. This could be done by using an appropriate grassland species mix within the adjacent public open space that is proposed to create an edge habitat. Creating a new pond designed for wildlife and public enjoyment in this area would also add to the value of this area as a wildlife corridor."

The Senior Ecologist therefore raises no objection to the proposed development on the grounds of ecology and biodiversity subject to conditions relating to Biodiversity Net Gain, Landscape and Ecology Management and Construction Environmental Management and Habitat Mitigation and Monitoring Plan.

It is therefore considered in terms of ecology and biodiversity that the development accords with the NPPF in general and specifically to Chapter 15 of the NPPF, Development Plan Policy CS12 and DM19 and Neighbourhood Plan Policy G16.

Trees, Landscaping and Open Space:

Trees: Paragraph 136 of the NPPF states *Trees make an important contribution to the character and quality of urban environments and can also help mitigate and adapt to climate change. Planning policies and decisions should ensure that new streets are tree-lined, that opportunities are taken to incorporate trees elsewhere in developments (such as parks and community orchards), that appropriate measures are in place to secure the long-term maintenance of newly-planted trees, and that existing trees are retained wherever possible. Applicants and local planning authorities should work with highways officers and tree officers to ensure that the right trees are planted in the right places, and solutions are found that are compatible with highways standards and the needs of different users.*

The importance of tree retention and planting is a theme running throughout the Neighbourhood Plan and is covered in Policies G2, G3, G15, G16 and G17.

The LPA's Arboricultural Officer has no objection to the proposed development but has made suggestions as to how trees could be better incorporated into the development. For example, the Arboricultural Officer states in his full comments (which are available to view on the Planning Portal) that *It would be preferable to incorporate any new [garden] tree planting into the hedgerow [of the northern boundary.] A native mixed species hedge along this boundary will help integrate the development into the landscape. Tree species should include hawthorn and field maple. Using fewer tree species for the boundary tree planting onto the open countryside reflect the existing landscape character.*

Whilst the Arboricultural Officer suggests there are no street trees, drawing no.PP1002 Rev.C, which shows highway, curtilage and management company land shows street trees. Management and maintenance of such trees by the Local Highway Authority (LPA) will be via agreement between the LHA and developer / management company.

The Arboricultural Officer has requested conditions relating to additional arboricultural information, tree protection, tree retention, tree planting (including management and maintenance thereof), and management of the woodland in the northwest corner of the site as well as conditions requiring further details of hard and soft landscaping. It is however considered that landscape management can be secured by the general tree protection and retention conditions and a separate condition is therefore not necessary and would therefore fail the conditions tests laid down in National Planning Practice.

Landscaping: Paragraph 135b) notes that landscaping should form part of the overall design for a development that it is synonymous with good design and therefore the overall visual appearance of a development as required by Development Plan Policy DM15 and Neighbourhood Plan Policies G2, G15 and G17.

The landscaping plans are not detailed and will be conditioned if permission is granted to address comments raised by both the arboricultural officer and the conservation officer. The plans will be required to:

- incorporate trees into the northern hedgerow,
- to retain and improve the existing southern hedges rather than replace them in part by close boarded timber fencing,
- provide appropriate planting to the east of the north-eastern element of close boarded timber fencing adjacent to St Nicholas Close to soften its appearance whilst providing a secure boundary to plots 18-20 inclusive, and
- provide an appropriate boundary treatment around the existing water feature that is to be replicated as part of the drainage strategy for the site.

Open Space: As previously stated, open space provision substantially exceeds policy requirements (as required by Development Plan Policy DM16) with a requirement of 630m² (17.5m² per dwelling) and provision of (provision = 5,037m² (included in the western area of open space, LAP (Local Area of Play) and western area of open space and woodland) whilst policy requirement is 612m² (17.5m² per dwelling).)

The Local Authority's Open Space Team have confirmed that they will not be adopting the open space, and the applicants have confirmed that this will be managed and maintained by a management company. The details of this will be secured in the S106 Agreement.

It is therefore considered, in relation to trees, landscaping and open space, that the development accords with the NPPF in general and specifically to paragraph 135 of the NPPF, Development Plan Policies CS01, CS08, CS12, CS13 and DM15 and Neighbourhood Plan Policies G2, G3, G15, G16 and G17.

S106 Considerations:

Affordable Housing: The provision of 7no. units pepper-potted throughout the site accords with national and local policy requirements. Specific measures required by Neighbourhood Plan Policies G7 and G8 (that require affordable housing for rent to be allocated to residents with a local connection first) would also be secured within the S106 Agreement if permission were granted.

Other Provisions: Open Space Management and Maintenance as well as specification for play equipment would also be secured by the S106 agreement as would the GIRAMS fee (£221.17 / dwelling) and £500 per clause monitoring fee.

Crime and Disorder:

Paragraph 96b) of the NPPF states *96. Planning policies and decisions should aim to achieve healthy, inclusive and safe places and beautiful buildings which: b) are safe and accessible, so that crime and disorder, and the fear of crime, do not undermine the quality of life or community cohesion – for example through the use of beautiful, well-designed, clear and legible pedestrian and cycle routes, and high quality public space, which encourage the active and continual use of public areas.*

The applicant has worked closely with the Police Architectural Liaison Officer who considers the scheme exemplary and believes, if applied for it could easily achieve Secured by Design Gold Award.

Other Material Considerations:

As well as conditions outlined throughout the report, archaeology, contamination, construction management, and fire hydrants would all be suitably conditioned if permission were granted.

Specific Comments and Issues:

In relation to comments received but not covered in the main body of the report, your officers respond as follows:

Following the first set of amendments in June 2024 only two letters of

- Loss of views – there is no right to a public view,
- There are new houses already for sale in the village that are not selling – this is not a reason to prevent development of the settlement's housing allocation,
- Intensification of traffic on Back Street which is not an appropriate road to serve the development being single lane with no footpaths. This will result in conflict between vehicles and pedestrians – the appropriateness of Back Street to accommodate further traffic would have been a consideration of the allocation process. Furthermore, the Local Highway Authority raises no objection and pedestrian routes are to be provided / improved,
- Loss of arable land / green space – the loss of the arable land would have been fully considered when the site was allocated for residential development,
- Loss of outlook – there is no loss of outlook to any property,
- Please note there is a conflict of interest between Mr Marsham & Councillor Alistair Beales (Gayton Estate & J & C Farm Manager, Councillor for Massingham & Castle Acre Ward & Parish Councillor for Gayton) We presume the council is aware of this & will monitor this accordingly – there is no conflict of interest identified, and
- The applicant suggested at the Parish Council meeting that they would be providing solar panels; however, no solar panels are proposed – the application has been determined as submitted.

CONCLUSION:

The applicant and agent have worked closely with the Local Planning Authority to produce a scheme that has received no objections from any statutory consultee and only two objections from third parties since the latest amendments were received. The application is only before planning committee due to the appeal history and Scheme of Delegation

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requirements, and it is of note that the Parish Council no longer objects to development on the site.

The above report has shown how the current proposal has addressed the Inspector's main reason for dismissal of the previous appeals for 46 dwellings (density and the impact of too high a density on the form and character of the locality.)

The scheme, which has received no objections from statutory consultees, is considered to be a high-quality scheme that takes the opportunities available to it, would function well, is permeable with good pedestrian connections, would be visually attractive due to good design and landscaping, would result in excess of policy requirements in relation to open space provision, recognises and reinforces local characteristics, would not result in any unacceptable residential amenity or highway safety issues, addresses flood risk and drainage issues, results in biodiversity net gain, provides affordable housing and is considered safe and accessible.

It is therefore recommended that this application be approved.

RECOMMENDATION: APPROVE and REFUSE

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

- 1 Condition: The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
- 1 Reason: To comply with Section 91 of the Town and Country Planning Act, 1990, as amended by Section 51 of the Planning and Compulsory Purchase Act, 2004.
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans drawing nos:
 - SE-1758 PP1001 Rev.G Site and Location Plans
 - SE-1758 PP1002 Rev.D Site Plan
 - SE-1758 PP1101 House Type A
 - SE-1758 PP1102 House Type B
 - SE-1758 PP1103 House Type C
 - SE-1758 PP1104 House Type D
 - SE-1758 PP1105 House Type E
 - SE-1758 PP1106 Rev.A House Type F1
 - SE-1758 PP1108 Garage Types
 - SE-1758 PP1109 Rev.A House Type H
 - SE-1758 PP1110 Rev.B House Type Ft
 - SE-1758 PP1111 Rev.A House Type Gt
 - SE-1758 PP1112 House Type G1
 - SE-1758 PP1113 House Type H1
 - 221285 C-160 Rev.PO3 Access Strategy.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No demolition/development shall take place until an archaeological written scheme of investigation (WSI) has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and

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- i. The programme and methodology of site investigation and recording,
 - ii. The programme for post investigation assessment,
 - iii. Provision to be made for analysis of the site investigation and recording,
 - iv. Provision to be made for publication and dissemination of the analysis and records of the site investigation,
 - v. Provision to be made for archive deposition of the analysis and records of the site investigation,
 - vi. Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation, and
 - vii. Any further project designs as addenda to the approved WSI covering subsequent phases of mitigation as required.
- 3 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Development Plan Policies CS08, CS12 and DM15. 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 and any addenda to that WSI covering subsequent phases of mitigation.
- 4 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Development Plan Policies CS08, CS12 and DM15.
- 5 Condition: The development shall not be occupied or put into first use until the site investigation and post investigation assessment has been completed in accordance with the programme set out in the archaeological written scheme of investigation approved under condition 3 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 5 Reason: To safeguard archaeological interests in accordance with the principles of the NPPF and Development Plan Policies CS08, CS12 and DM15.
- 6 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,

- archaeological sites and ancient monuments;
- (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and Development Plan Policy DM15. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 7 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.
- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and Development Plan Policy DM15. This needs to be a pre-commencement condition given the need to ensure that contamination is fully dealt with at the outset of development.
- 8 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and Development Plan Policy DM15.
- 9 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment

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must be undertaken in accordance with the requirements of condition 6, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 7, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 8.

- 9 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors in accordance with the NPPF and Development Plan Policy DM15.
- 10 Condition: No development shall take place (including demolition, ground works, vegetation clearance) until a Landscape and Ecology Management Plan (LEMP) has been submitted to and approved in writing by the local planning authority. The LEMP shall detail the management and planting details. The LEMP shall detail the management and details of enhancement measures to be installed including the number, type and location of bird boxes and hedgehog links and the location and species composition of hedge-planting/establishment identified within Section 7 of the Ecological Impact assessment in addition to those recommended by the LPA (email dated 03/11/2023). This must include a spatial plan of where enhancements are located.
- 10 Reason: In order to safeguard the ecological interests of the site in accordance with the NPPF, Development Plan Policy CS12 and Neighbourhood Plan Policies G14 and G16. The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.
- 11 Condition: Prior to commencement details of how the development will enhance biodiversity (demonstrating a minimum of 10% biodiversity net gain) shall be submitted to and approved in writing by the local planning authority. The details shall include:
 - updated Metric calculations which align with detailed site layout and landscape plans
 - a Biodiversity Gain Plan; and
 - a timetable for implementation.

Details must be in accordance with the recommendations of the Ecological Impact Assessment (Glaven Ecology, August 2023) and Statutory Biodiversity Metric Calculations V4 (Ben Livick, 31 July 2024). Where species enhancements are required, these should be included in the details submitted. The development shall be carried out in accordance with the approved details.

- 11 Reason: To ensure that the scheme delivers a biodiversity net gain in line with Gayton and Gayton Thorpe Neighbourhood Plan Policy G16 which requires development to demonstrate measurable net gain for biodiversity, and this should be achieved on site wherever practicable and in accordance with BS8683:2021-Process for designing and implementing Biodiversity Net Gain.
- 12 Condition: The development shall not commence until a Habitat Management and Monitoring Plan (HMMP), prepared in accordance with the approved Biodiversity Gain

Planning Committee
7 October 2024

Plan (BGP) which shall itself be prepared in accordance with the Statutory Metric dated 31st July 2024 prepared by Ben Livick, has been submitted to, and approved in writing by, the local planning authority. The HMMP shall include:

- I. a non-technical summary,
- II. the roles and responsibilities of the people or organisation(s) delivering the [HMMP],
- III. the planned habitat creation and enhancement works to create or improve habitat to achieve the biodiversity net gain in accordance with the approved Biodiversity Gain Plan,
- IV. the management measures to maintain habitat in accordance with the approved Biodiversity Gain Plan for a period of 30 years from the completion of development, and
- V. the monitoring methodology and frequency in respect of the created or enhanced habitat to be submitted to the local planning authority.

12 Reason: In the interests of biodiversity in accordance with the NPPF, Development Plan Policy CS08 and Neighbourhood Plan Policies G14 and G16.

13 Condition: No development or other operations shall take place on site until a detailed construction management statement has been submitted to and approved in writing by the Local Planning Authority. The method statement shall include:

- (a) the methods to be used and the measures to be undertaken to control the emission of dust, noise, and vibration from the operation of plant and machinery to be used,
- (b) the location of any temporary buildings and compound areas,
- (c) the measures to be used to prevent the deposit of mud and other deleterious material on the public highway, and
- (d) a scheme for the management and signage of all construction traffic.

The development of each phase shall be carried out in accordance with the approved construction management statement.

13 Reason: In order that the Local Planning Authority may retain control over the construction activities in the interests of the amenities of the locality in accordance with the NPPF and Development Plan Policy DM15. This needs to be a pre-commencement condition as this issue relates to the construction phase of the development.

14 Condition: The development shall be built in accordance with the submitted Flood Risk Assessment and Drainage Strategy (Flood Risk Assessment / Drainage Strategy | Residential Development, Back Street, Gayton, Norfolk | Rossi Long Consulting | Ref: 221285 | Rev: 04 | Dated: 26 July 2024) unless otherwise agreed in writing by the Local Planning Authority.

The schematic drainage layout adopted must be that demonstrated in the final submitted drainage strategy drawing (Foul & Surface Water Drainage Strategy | Residential Development Back Street Gayton | Rossi Long Consulting | Drawing No.: C-001 | Rev: P03 | Dated: 05 June 2024). The approved scheme will be implemented prior to the first use of the development.

14 Reason: To prevent flooding in accordance with the NPPF, Development Plan Policy CS08 and Neighbourhood Plan Policy G10 by ensuring the satisfactory management

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7 October 2024

of local flood risk, surface water flow paths, storage, and disposal of surface water from the site in a range of rainfall events and ensuring the SuDS proposed operates as designed for the lifetime of the development.

- 15 Condition: Notwithstanding condition 14, no development shall commence until details of the surface water connection with the Anglian Water Network have been submitted to and approved in writing by the Local Planning Authority. No hard-standing areas shall be constructed until the works have been carried out in accordance with the approved details.
- 15 Reason: To ensure that there is a satisfactory means of surface water drainage connection to reduce the risks of flooding in accordance with the NPPF, Development Plan Policy CS08 and Neighbourhood Plan Policy G10. This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.
- 16 Condition: No works or development shall take place until a scheme for the protection of the retained trees (section 5.5, BS 5837:2012, the Tree Protection Plan) including those in the woodland area has been agreed in writing with the Local Planning Authority. This scheme shall include:
- a) a site layout plan to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and Root Protection Area (section 4.6 of BS5837:2012) of every retained tree on site superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan,
 - b) a schedule of tree works for all the retained trees in paragraph a) above, specifying pruning and other remedial or preventative work, whether for physiological, hazard abatement, aesthetic, or operational reasons. All tree works shall be carried out in accordance with BS3998, 2010, Recommendations for tree work,
 - c) the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g., demolition, construction, hard landscaping). Barrier and ground protection offsets should be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection. The Tree Protection Barriers/ground protection must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase,
 - d) the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed regarding site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.

The Tree Protection Barriers/ground protection shall be retained intact for the full duration of the development work hereby approved until all equipment, materials and surplus materials have been removed from the site.

If the Tree Protection Barriers/ground protection 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.

16 Reason: To ensure the existing trees are suitably protected throughout the demolition and construction phases of the development in accordance with the NPPF and Neighbourhood Plan Policies G2, G3, G15, G16 and G17.

17 Condition: Notwithstanding the approved plans, prior to the first use/occupation of the development hereby permitted, full details of both hard and soft landscape works have been submitted to and approved in writing by the Local Planning Authority.

a) Hard landscape works, to include but not be limited to, finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts, boundary types, and any paved surfaces (including manufacturer, type, colour and size) underground modular systems, and sustainable urban drainage integration,

b) Soft landscape works, to include planting plans (which show the relationship to all underground services overhead lighting and the drainage layout), written specifications (including cultivation and other operations associated with plan and grass establishment), schedules of plants noting species, plant sizes, proposed numbers and densities, tree planting details including method of staking, irrigation and protection from grazing,, detailed design proposals for street trees planting pits/trenches including, but not limited to, locations, soil volumes in cubic metres, cross sections and dimensions.

The landscape details should include the boundary treatment for the attenuation pond as well as all edge of development boundaries.

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.

17 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policy G17.

18 Condition: Prior to the occupation of the development hereby permitted a landscape establishment and maintenance scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the initial establishment and maintenance of all landscaped areas for a minimum period of 5 years and specify the maintenance responsibilities and arrangements for its implementation. The landscape maintenance scheme shall be carried out as approved.

- 18 Reason: To ensure that the landscaped areas are properly established and managed in the interests of the visual amenities of the locality in accordance with the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policy G17.
- 19 Condition: Prior to the first occupation of Plot 14, a 2.0m high solid acoustic fence meeting the minimum surface density of 10kg/m² should be installed to the eastern boundary of the rear garden. The fence shall thereafter remain in perpetuity.
- 19 Reason: In the interests of the amenity of occupiers of Plot 14 in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy G9.
- 20 Condition: No development shall commence on any external surface of any dwelling constructed from flint as shown on the approved plans until a sample panel of the materials to be used for the external surfaces of these units 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.
- 20 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policies G2 and G9.
- 21 Condition: The development shall not be brought into use until a scheme for the provision of fire hydrants has been implemented in accordance with a scheme that has previously been submitted to and approved in writing by the Local Planning Authority.
- 21 Reason: In order to ensure that water supplies are available in the event of an emergency in accordance with the NPPF.
- 22 Condition: Prior to first occupation of the development hereby permitted, details of a suitable electric vehicle charging scheme shall be submitted to the LPA and implemented as approved.
- 22 Reason: To ensure the electric vehicle charging is safe, accessible and convenient for all future users including visitors in accordance with the NPPF.
- 23 Condition: Prior to the installation of any air and/or ground source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries with neighbouring dwellings, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 23 Reason: In the interests of the occupiers of existing neighbouring properties and occupiers of the proposed development in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy G9.
- 24 Condition: Construction or development work on site, along with collections and deliveries of waste products, material and equipment, shall only be carried out between the hours of 0800 and 1800 weekdays, and 0900-1300 on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.

- 24 Reason: In the interests of the occupiers of existing neighbouring properties and occupiers of the proposed development in accordance with the NPPF, Development Plan Policy DM15 and Neighbourhood Plan Policy G9.
- 25 Condition: No development shall commence on site in relation to the development hereby permitted until a scheme detailing provision for on-site parking for construction workers, wheel washing and access for construction vehicles for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
- 25 Reason: To ensure adequate off-street parking during construction in the interests of highway safety in accordance with the NPPF and Development Plan Policies CS11 and DM15. This needs to be a pre-commencement condition as it deals with the construction period of the development.
- 26 Condition: No works shall commence on site in relation to the development hereby permitted until such time as detailed plans of the roads, footways, cycleways, street lighting (if proposed), foul and surface water drainage associated with these elements have been submitted to and approved in writing by the Local Planning Authority. All construction works shall be carried out in accordance with the approved plans.
- 26 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as public highway in accordance with the NPPF. Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21. This needs to be a pre-commencement condition to ensure fundamental elements of the development that cannot be retrospectively designed and built are planned for at the earliest possible stage in the development and therefore will not lead to expensive remedial action and adversely impact on the viability of the development.
- 27 Condition: Prior to the occupation of the penultimate dwelling hereby permitted all works (including provision of a top course) shall be carried out on roads, footways, cycleways, street lighting (if proposed), foul and surface water drainage associated with these elements in accordance with the approved specification to the satisfaction of the Local Planning Authority.
- 27 Reason: To ensure satisfactory development of the site and to ensure estate roads are constructed to a standard suitable for adoption as a public highway in the interests of highway safety in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21.
- 28 Condition: Prior to the first occupation of the development hereby permitted a visibility splay measuring 2.4 x 61.0m (west) and 45m (east) shall be provided to each side of the access where it meets the highway, and such splays shall thereafter be maintained at all times free from any obstruction exceeding 1.05 metres above the level of the adjacent highway carriageway.
- 28 Reason: In the interests of highway safety in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21.
- 29 Condition: Prior to the first occupation of any dwelling hereby permitted the road(s), footway(s), and cycleway(s) shall be constructed to binder course surfacing level from the dwelling to the adjoining County Road in accordance with the details to be approved in writing by the Local Planning Authority.

- 29 Reason: To ensure satisfactory development of the site in the interests of highway safety and amenity in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21.
- 30 Condition: Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for off-site highway improvement works in the form of widening and re-surfacing on PROW Gayton FP9 have been submitted to and approved in writing by the Local Planning Authority.
- 30 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policies G18 and G19.
- 31 Condition; Notwithstanding the details indicated on the submitted drawings no works above slab level shall commence on site unless otherwise agreed in writing until detailed drawings for the off-site highway improvement works as set out on drawing 221285-C-160-P03 (to include widening of Back Street and footway improvements) have been submitted to and approved in writing by the Local Planning Authority.
- 31 Reason: To ensure that the highway improvement works are designed to an appropriate standard in the interest of highway safety and to protect the environment of the local highway corridor in accordance with the NPPF, Development Plan Policies CS11 and DM15, and Neighbourhood Plan Policies G18 and G19.
- 32 Condition: Prior to the first occupation of any dwelling hereby permitted the off-site highway improvement works (including Public Rights of Way works) referred to in conditions 30 and 31 shall be completed to the written satisfaction of the Local Planning Authority.
- 32 Reason: To ensure that the highway network is adequate to cater for the development proposed in the interests of highway safety in accordance with the NPPF and Development Plan Policies CS11 and DM15.
- 33 Condition: Prior to the first occupation of each dwelling hereby permitted, the parking and turning areas serving that dwelling shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 33 Reason: To ensure the permanent availability of the parking / manoeuvring areas in the interests of highway safety and amenity in accordance with the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy G21.
- 34 Condition: Notwithstanding the approved plans, prior to the first occupation of any dwelling hereby permitted the footpath link to the east of site that links the development to the existing PROW (shown on the approved plans to be located between plots 17 and 18) shall be constructed in full accordance with details (that shall include ongoing management and maintenance) to be submitted to and approved in writing by the Local Planning Authority prior to construction of the footpath. The footpath shall thereafter be managed and maintained unimpeded in accordance with the agreed details in perpetuity.

34 Reason: In the interests of retaining ongoing permeability of the site and unobstructed pedestrian and cycle links to the wider settlement in accordance with the NPPF, Development Plan Policies CS11, CS13 and DM15.

B) REFUSE if the S106 agreement is not completed within 4 months of the resolution to approve.



The Planning Inspectorate

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Your Ref: 19/01831/F
Our Ref: APP/V2635/W/20/3263737
Further appeal references at foot of letter

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

25 August 2021

Dear Ruth Redding,

Town and Country Planning Act 1990
Appeals by D& K Marsham, D & K Marsham
Site Addresses: Land at Manor Farm, Back Street, Gayton, KING'S LYNN, PE32 1QR and Land at Manor Farm, Gayton, KING'S LYNN, PE32 1QR

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

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

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

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

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

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

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

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

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

Yours sincerely,

Neale Oliver

Neale Oliver

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

Linked cases: APP/V2635/W/20/3263738



Appeal Decisions

Site Visit made on 12 May 2021

by **S Tudhope LLB (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 August 2021

Appeal A Ref: APP/V2635/W/20/3263738

Land at Manor Farm, KING'S LYNN, PE32 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by D & K Marsham against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 19/00694/RMM, dated 29 March 2019, sought approval of details pursuant to condition No 1 of a planning permission Ref 15/10888/OM granted on 4 August 2016.
- The application was refused by notice dated 2 July 2020.
- The development proposed is described as residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings.
- The details for which approval is sought are: Appearance, landscaping, layout and scale.

Appeal B Ref: APP/V2635/W/20/3263737

Land at Manor Farm, Back Street, Gayton, KING'S LYNN, PE32 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by D & K Marsham against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 19/01831/F, dated 11 October 2019, was refused by notice dated 2 July 2020.
 - The development proposed is residential development comprising of 2 detached 4 bed two storey dwellings and 4 semi-detached 3 bed two storey dwellings.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeal evidence refers to appeal ref: APP/V2635/W/20/3263738 as "Appeal A" and appeal ref: APP/V2635/W/20/3263737 as "Appeal B". I have adopted this referencing in my decision.
4. Appeal A and Appeal B are linked in that, together, they comprise a proposal for 46 dwellings on an allocated site. Appeal A relates to reserved matters for 40 dwellings on a site reduced in size from the extant outline permission for 40

dwellings. The reserved matters for which approval is sought are appearance, layout, landscaping and scale. Appeal B seeks full planning permission for 6 dwellings on the remainder of the original site. Consequently, the combined proposals seek the erection of 46 dwellings on a site where the principle of development for 40 dwellings has been established.

5. The evidence indicates that the appeal site lies within the zone of influence of one or more European sites¹. I am required to assess the implications of the proposals on the conservation objectives of the designated areas. I have sought and received further comments from the main parties on this issue. I return to this matter later in my decision.
6. On 20 July 2021 a revised National Planning Policy Framework was issued. The main parties were given the opportunity to comment on the implications of the resulting changes for this appeal and I have taken into account any resulting submissions when making my decision. The references to 'the Framework', including any paragraph numbers, made within my decision are to this revised version.
7. A legal agreement prepared under the provisions of Section 106 of the Town and Country Planning Act 1990 (the S106 Agreement), was entered into in relation to the outline planning permission. This provides for delivery of affordable housing (8 no. units); open space provision, management and maintenance; provision and management of retained woodland; provision of a sustainable drainage scheme; and education and library contributions. A separate S106 Agreement dated 19 April 2021 has been submitted in relation to Appeal B to secure the provision of an additional affordable house. I have taken these agreements into account in reaching my decision.

Main Issues

8. For Appeal A the main issues are: (i) the effect of the density of the proposed development, with particular regard to the character and appearance of the surrounding area; (ii) whether the proposed development would provide satisfactory living conditions for future occupiers, with regard to the provision of garages; and (iii) whether the proposed development would provide a safe and secure environment, with particular regard to boundary treatments.
9. These main issues are also relevant to Appeal B insofar as combined, the two schemes seek development of the entirety of the allocated site. In addition, for Appeal B the main issue is whether or not development of the appeal site in isolation from the remainder of the allocated site G41.1 would be appropriate.

Reasons

Appeals A and B – density and character and appearance

10. The Council is concerned that the proposed density of development of the Appeal A site, and consequently the entire allocation site when combined with Appeal B proposals, would be greater than, and not in keeping with, the density of the village as a whole and would therefore result in development that does not respond well to its setting. The appellants' evidence sets out that

¹ Now the 'national site network' when referring to the network of European sites in the UK, following the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

the proposed density of the combined proposals for 46 dwellings would be less than that of adjoining developments on Birch Road (and surrounding streets) and St Nicholas Close. It is argued that the proposed development would therefore be reflective of and consistent with its surroundings and would optimise the use of the land as required by paragraphs 124 and 125 of the Framework.

11. The Council does not refute the appellants' calculations of density and I accept the figures stated. However, density as a numerical calculation is a poor measure of the compatibility of a proposal in its spatial context.
12. The position of the appeal site, to the north of Back Street and between Birch Road and St Nicholas Close is within the south eastern extent of the village of Gayton. There is a wide variety of dwelling types, ages and scales in the surrounding area, mostly of two storey height interspersed with occasional single storey properties. From my observation, the appeal site has a greater affinity with development on Back Street and St Nicholas Close than that within Birch Road and its wider estate (known locally and hereafter referred to as 'The Willows'). This is because the bulk of the proposed built form would be separated from The Willows by the proposed retained woodland and open space area. The site would be served by an access from Back Street and the proposed dwellings would predominantly back onto properties located along Back Street, the roadside of St Nicholas Close and the public right of way along the eastern boundary of the wider site.
13. Back Street leads away from the central area of the village and, with some agricultural land to the south and north, the linear, non-estate nature of development along this street, combined with primarily set back frontages and relatively deep rear garden areas, both here and within St Nicholas Close, a sense of spaciousness prevails, consistent with the position at the edge of the village. Development here is somewhat wider grained than that of The Willows, and I therefore consider that the predominant character and appearance of the site's immediate surroundings is semi-rural.
14. I acknowledge that the appellants have given careful consideration to the appeal proposals in order to present an overall scheme that they believe addresses deliverability, saleability, village need, variety of dwelling type and the form and character of the surrounding area. I also appreciate that Council officers recommended approval of the applications to the planning committee. However, it was within the committee's gift to make a decision on the applications contrary to the officer recommendations, thus this consideration has had no bearing on my decision.
15. The Council has accepted with the outline permission that the site is capable of supporting 40 dwellings consistent with Policy G41.1 of the Council's Site Allocations and Development Management Policies Plan 2016 (DM), which requires at least 23 dwellings. Whilst there is no upper limit in terms of numbers of dwellings set out within DM Policy G41.1, proposals should comply with the development plan as a whole and take into account the effect on the form and character of the area.
16. The reserved matters scheme for 40 dwellings within a smaller site area, and the combined appeal proposals for 46 dwellings across the whole of the allocated site, whilst proposing some similar features and layout to the illustrative layout plan for the outline permission for 40 dwellings, would result

in a tighter urban grain of development that would be at odds with the prevailing pattern of development in the immediate surroundings. The development would be dominated by hard surfaces. There would be a prevalence of frontages with very little set back that would not be of sufficient depth to provide landscaping capable of adequately softening the impact of the proposals. The effect of the proposed density would be a less spacious layout, highlighted by shorter, narrower plots with tighter spacing between dwellings, reduced set back from the road and limited green frontages.

17. Although the entrance to the site would have a sense of spaciousness, with its retained woodland and open space area, once the corner into the wider development was turned there would be a predominance of hard surfacing and a sense of enclosure that would be generated from the inconsistent building lines and close proximity of many of the proposed dwellings to the edge of the highway. The combination of the above factors of the proposed layout indicates that the density would be too high and would not respond well to its context. This would be to the detriment of design quality and consequently to the character and appearance of the area. As a result, while the proposed layout may be an efficient use of land, it would be so by compromising the quality of the environment.
18. Contrary to the assertions of the appellants, the absence of a local design guide and code does not make the Framework's requirement to make optimal use of the potential of each site an overriding factor. It is clear from paragraph 129 of the Framework that, in the absence of locally produced design guides or codes, the National Design Guide (NDG) and National Model Design Code should be used to guide decisions on applications. Furthermore, paragraph 124 of the Framework sets out criteria to take account of when supporting the efficient use of land, which includes the importance of securing well-designed, attractive and healthy places.
19. The NDG reinforces that well-designed new development should make efficient use of land with an amount and mix of development and open space that optimises density. It advises that good urban design principles combine layout, form and scale in a way that responds positively to the context and that the appropriate density will result from the context.
20. I acknowledge that the proposals would provide adequate levels of parking and amenity space for each dwelling and that there would be a suitable mix of dwelling types and sizes, including policy compliant provision of affordable housing. Nevertheless, and notwithstanding the overall density of dwellings proposed across the site, the constraints of the shape of the site, combined with the overall increase in the number of dwellings proposed, would result in an overly intensive development. All of the above factors lead me to consider that the development proposed, as a whole, would detract from and be out of keeping with the prevailing spacious and semi-rural pattern of development in the immediate surroundings.
21. Overall, I conclude that the density of the proposed development would result in unacceptable harm to the character and appearance of the surrounding area. Consequently, the proposals would conflict with Policies CS06 and CS08 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS), DM Policy DM15 and paragraphs 92(c), 120(b), 124, 126, 130 and 134 of the Framework which, together and amongst other matters, seek that

development optimises density taking into account site constraints and impact on the local area.

Appeals A and B - Living conditions

22. I have not been directed to any policy, local or national, that sets a requirement for the provision of garages. Whilst it may be a laudable aspiration to provide garages for all new dwellings, there is, nevertheless, no existing policy basis on which to refuse development where some dwellings are not provided with a garage. There is nothing in the evidence to suggest that the appeal proposals do not comply with the local plan requirements for parking provision in new developments as set out in DM Policy DM17. Furthermore, for the dwellings where garages would not be provided, sheds are proposed which would provide future occupiers with additional storage space and secure cycle parking.
23. I therefore conclude that the proposed development would provide satisfactory living conditions for future occupiers, with regard to the provision of garages. In this respect, the proposal does not conflict with DM Policy DM15 or paragraphs 130 and 134 of the Framework, where they seek to ensure high quality design and a high standard of amenity for future occupiers.

Appeals A and B - Safety

24. The Council is concerned that the proposed development would not provide a safe and secure environment in regard to the provision of rear boundary treatments. This relates to the proposed dwellings where the rear gardens follow the northern boundary of the site. However, during the application process, amendments to the design were proposed in response to initial concerns raised by the Police Architectural Liaison Officer (PALO). Post and rail fencing at 1.2 metres high is proposed to be reinforced by hedgerow in order to secure the rear gardens along the northern boundary of the site.
25. This amendment was considered by the PALO to provide a satisfactory level of security to those properties whilst also allowing for views of the agricultural land beyond. In the absence of any substantive evidence to the contrary, I consider that as long as the proposed hedgerow and fencing were provided prior to occupation of the proposed dwellings, the development would provide a safe and secure environment. This could be ensured by the imposition of a condition were the appeals to be allowed.
26. I, therefore, conclude that the proposed development would provide a safe and secure environment with particular regard to boundary treatments. Thus, the proposal complies in this respect with CS Policy CS08, DM Policy DM15 and paragraph 92(b) of the Framework, which together and amongst other matters seek to achieve safe places.

Appeal B

27. The Appeal B scheme seeks the erection of 6 dwellings on the north eastern corner of the allocated site (G41.1). The proposal would be remote from the proposed access to the site on Back Street. It would be reached via an estate road across an agricultural field. The proposal is clearly not a standalone scheme and is not purported to be so. The appellants accept that if the Appeal A scheme were to be dismissed the Appeal B proposal would also fail. I have

dealt with Appeal A and the combined proposals of Appeal A and Appeal B above.

28. I conclude in relation to Appeal B that development of the Appeal B site, in isolation from the remainder of the allocated site G41.1, would not be appropriate. It would not comply with CS Policies CS02, CS06, CS08, CS09, CS12, DM Policies DM1, DM2, DM15 and G41.4. The proposal would also conflict with paragraphs 119, 124, 130 and 134 of the Framework which, together and amongst other matters seek development that is well-designed.
29. I do not consider paragraph 125 of the Framework (this has replaced paragraph 123 of the 2019 Framework referenced in the Council's decision notice) to be relevant in this case, as there is no evidence to suggest that there is an existing or anticipated shortage of land for meeting identified housing needs in the Borough.

Other Matters

European sites

30. Both main parties consider that the appeal proposals would not result in likely significant effects to the integrity of any European sites. However, the Council has advised that the site lies within the zone of influence of the Norfolk Valley Fens Special Area of Conservation. It has also advised that it consulted Natural England (NE), as statutory consultee, in respect of both appeal proposals. In light of the response of NE, that the applications would not be likely to result in significant impacts on statutory designated nature conservation sites, an appropriate assessment (AA) was not considered necessary by the Council for either of the proposals. I note that a habitats mitigation payment was made in accordance with the Council's Natura 2000 Sites Monitoring and Mitigation Strategy 2015 (the Mitigation Strategy) in respect of the 6 dwellings proposed under Appeal B.
31. The Council confirmed that no payment has been made in respect of the 40 dwellings subject of Appeal A. This is because the habitats mitigation payment requirement did not take place until 1 April 2016, after the approval of the outline proposals. The Council further considered that this matter does not fall within the remit of a reserved matters application and therefore no further consideration was given to it in determination of the Appeal A proposals.
32. I have some concerns regarding the treatment of this matter. The Mitigation Strategy, adopted in consultation with NE, identified that across the borough, new housing developments would, cumulatively, result in likely significant effects to the conservation objectives of nearby European sites. This is largely due to pressures arising from increased recreation activities on and around the identified sites. In response to this, DM Policy DM19 sets out a suite of measures required to monitor recreational pressure and, if necessary, to mitigate adverse impacts in order to avoid any significant effect on the integrity of any European sites. A financial contribution is required from all new housing development to cover monitoring and small-scale mitigation at the European sites. It has therefore been established by the Council that, in the absence of mitigation measures, all new housing will have a likely significant effect on the integrity of the identified European sites.

33. Whilst I accept that the outline permission was granted prior to the adoption of the Mitigation Strategy and thus no payment was required at that time, it does not follow that adverse effects on integrity could be excluded in respect of the 40 dwellings. The adoption of the Mitigation Strategy amounts to a change in circumstances since the approval of the outline application. The evidence now indicates that a likely significant effect would result from the proposed development. However, there is no scope to consider matters other than the reserved matters that are before me. This does not mean that this matter can be ignored, rather, because adverse effects on integrity cannot be excluded, and there is no means available at reserved matters stage to secure an appropriate contribution towards the agreed mitigation measures, had I found the proposals acceptable in respect of the main issues I would have had no option other than to dismiss Appeal A on these grounds. It would also have been necessary to carry out an AA in respect of Appeal B and to reach a conclusion on the mitigation measures proposed. However, as the appeals are being dismissed on other grounds, I do not consider this matter any further.

S106 agreements

34. A S106 agreement was entered into in relation to the Appeal A proposals at outline stage and I do not need to revisit it here. Other than to note that provision has been made for the delivery of 8 affordable houses.
35. A S106 agreement has been entered into in relation to the Appeal B proposals taking into consideration the development of the allocated site as a whole. The additional 6 dwellings to the 40 approved at outline stage have triggered the need for a further affordable house, making the total number across the site to be 9 affordable houses.
36. As the provision of affordable housing would be a benefit of the proposed development required to be weighed in the planning balance against any identified harms, it is necessary for me to reach a conclusion on the effectiveness or otherwise of the obligation for the provision of an additional affordable house.
37. I am satisfied that there is a development plan policy basis for seeking the provision of affordable housing within the proposed development and that the obligation meets the requirements of CS Policy CS09. The provision of such would satisfy the provisions and tests set out within the Framework and the Community Infrastructure Levy Regulations 2010. In these respects, the delivery of affordable housing is a benefit of the proposal which I return to in the planning balance.

Neighbourhood Plan

38. I am aware of the emerging Gayton and Gayton Thorpe Neighbourhood Plan. However, from the evidence before me, this plan is still at a very early stage. As such, I cannot attribute the plan any more than very limited weight at this stage.

Other concerns

39. I note the concerns raised by interested parties including existing drainage and flooding issues and pressure on local services. However, given my findings in relation to the main issues, I have not considered these matters further.

Conclusion

40. The appeal schemes would provide an additional 6 dwellings and secure the delivery of the 40 already granted outline permission. The development of the site would provide a meaningful boost to housing supply in a location where occupiers would have access to local services and facilities. These are social benefits which I afford moderate weight, commensurate with the overall scale of development proposed. Nine of these homes would be affordable, secured through the S106 agreements. This would be a public benefit to which I attribute considerable weight.
41. The provision of public open space in excess of policy requirements would be a social benefit to which I afford moderate weight. The proposals would provide a footpath link to the east of the site and the potential to link with other future developments, such as a new school. The footpath link is required by policy and as I cannot be assured of suggested links to other developments, I afford these matters only limited weight. The proposal would provide economic benefits, including by reason of the creation of jobs during the construction phase, additional household expenditure and revenue resulting from the payment of the New Homes Bonus and CIL receipts. I note that the 40 dwellings granted outline permission are not subject to CIL payments. I attribute moderate weight to these benefits.
42. The Council can demonstrate a supply of housing land of more than five years, but this is not a maximum and does not diminish the value of new housing. Nevertheless, the appeal proposals would result in unacceptable harm to the character and appearance of the area. This is a matter I give significant weight. Overall, the benefits of the proposed development would be outweighed by the harm I have identified. The proposals would conflict with the development plan as a whole and there are no other considerations including the provisions of the Framework which outweigh this finding.
43. Therefore, for the reasons given, both Appeals A and B are dismissed.

S Tudhope

INSPECTOR



The Planning Inspectorate

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

Your Ref: 19/01831/F
Our Ref: APP/V2635/W/20/3263737
Further appeal references at foot of letter

25 August 2021

Dear Ruth Redding,

Town and Country Planning Act 1990
Appeals by D& K Marsham, D & K Marsham
Site Addresses: Land at Manor Farm, Back Street, Gayton, KING'S LYNN, PE32 1QR and Land at Manor Farm, Gayton, KING'S LYNN, PE32 1QR

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

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

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

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

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

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

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

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

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

Yours sincerely,

Neale Oliver

Neale Oliver

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

Linked cases: APP/V2635/W/20/3263738



Appeal Decisions

Site Visit made on 12 May 2021

by **S Tudhope LLB (Hons) MSc MRTPI**

an Inspector appointed by the Secretary of State

Decision date: 25 August 2021

Appeal A Ref: APP/V2635/W/20/3263738

Land at Manor Farm, KING'S LYNN, PE32 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant consent, agreement or approval to details required by a condition of a planning permission.
- The appeal is made by D & K Marsham against the decision of King's Lynn and West Norfolk Borough Council.
- The application Ref 19/00694/RMM, dated 29 March 2019, sought approval of details pursuant to condition No 1 of a planning permission Ref 15/10888/OM granted on 4 August 2016.
- The application was refused by notice dated 2 July 2020.
- The development proposed is described as residential development for 40 dwellings, associated estate road access onto Back Street and demolition of existing farm buildings.
- The details for which approval is sought are: Appearance, landscaping, layout and scale.

Appeal B Ref: APP/V2635/W/20/3263737

Land at Manor Farm, Back Street, Gayton, KING'S LYNN, PE32 1QR

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission.
 - The appeal is made by D & K Marsham against the decision of King's Lynn and West Norfolk Borough Council.
 - The application Ref 19/01831/F, dated 11 October 2019, was refused by notice dated 2 July 2020.
 - The development proposed is residential development comprising of 2 detached 4 bed two storey dwellings and 4 semi-detached 3 bed two storey dwellings.
-

Decisions

Appeal A

1. The appeal is dismissed.

Appeal B

2. The appeal is dismissed.

Preliminary Matters

3. The appeal evidence refers to appeal ref: APP/V2635/W/20/3263738 as "Appeal A" and appeal ref: APP/V2635/W/20/3263737 as "Appeal B". I have adopted this referencing in my decision.
4. Appeal A and Appeal B are linked in that, together, they comprise a proposal for 46 dwellings on an allocated site. Appeal A relates to reserved matters for 40 dwellings on a site reduced in size from the extant outline permission for 40

dwelling. The reserved matters for which approval is sought are appearance, layout, landscaping and scale. Appeal B seeks full planning permission for 6 dwellings on the remainder of the original site. Consequently, the combined proposals seek the erection of 46 dwellings on a site where the principle of development for 40 dwellings has been established.

5. The evidence indicates that the appeal site lies within the zone of influence of one or more European sites¹. I am required to assess the implications of the proposals on the conservation objectives of the designated areas. I have sought and received further comments from the main parties on this issue. I return to this matter later in my decision.
6. On 20 July 2021 a revised National Planning Policy Framework was issued. The main parties were given the opportunity to comment on the implications of the resulting changes for this appeal and I have taken into account any resulting submissions when making my decision. The references to 'the Framework', including any paragraph numbers, made within my decision are to this revised version.
7. A legal agreement prepared under the provisions of Section 106 of the Town and Country Planning Act 1990 (the S106 Agreement), was entered into in relation to the outline planning permission. This provides for delivery of affordable housing (8 no. units); open space provision, management and maintenance; provision and management of retained woodland; provision of a sustainable drainage scheme; and education and library contributions. A separate S106 Agreement dated 19 April 2021 has been submitted in relation to Appeal B to secure the provision of an additional affordable house. I have taken these agreements into account in reaching my decision.

Main Issues

8. For Appeal A the main issues are: (i) the effect of the density of the proposed development, with particular regard to the character and appearance of the surrounding area; (ii) whether the proposed development would provide satisfactory living conditions for future occupiers, with regard to the provision of garages; and (iii) whether the proposed development would provide a safe and secure environment, with particular regard to boundary treatments.
9. These main issues are also relevant to Appeal B insofar as combined, the two schemes seek development of the entirety of the allocated site. In addition, for Appeal B the main issue is whether or not development of the appeal site in isolation from the remainder of the allocated site G41.1 would be appropriate.

Reasons

Appeals A and B – density and character and appearance

10. The Council is concerned that the proposed density of development of the Appeal A site, and consequently the entire allocation site when combined with Appeal B proposals, would be greater than, and not in keeping with, the density of the village as a whole and would therefore result in development that does not respond well to its setting. The appellants' evidence sets out that

¹ Now the 'national site network' when referring to the network of European sites in the UK, following the Conservation of Habitats and Species (Amendment) (EU Exit) Regulations 2019.

the proposed density of the combined proposals for 46 dwellings would be less than that of adjoining developments on Birch Road (and surrounding streets) and St Nicholas Close. It is argued that the proposed development would therefore be reflective of and consistent with its surroundings and would optimise the use of the land as required by paragraphs 124 and 125 of the Framework.

11. The Council does not refute the appellants' calculations of density and I accept the figures stated. However, density as a numerical calculation is a poor measure of the compatibility of a proposal in its spatial context.
12. The position of the appeal site, to the north of Back Street and between Birch Road and St Nicholas Close is within the south eastern extent of the village of Gayton. There is a wide variety of dwelling types, ages and scales in the surrounding area, mostly of two storey height interspersed with occasional single storey properties. From my observation, the appeal site has a greater affinity with development on Back Street and St Nicholas Close than that within Birch Road and its wider estate (known locally and hereafter referred to as 'The Willows'). This is because the bulk of the proposed built form would be separated from The Willows by the proposed retained woodland and open space area. The site would be served by an access from Back Street and the proposed dwellings would predominantly back onto properties located along Back Street, the roadside of St Nicholas Close and the public right of way along the eastern boundary of the wider site.
13. Back Street leads away from the central area of the village and, with some agricultural land to the south and north, the linear, non-estate nature of development along this street, combined with primarily set back frontages and relatively deep rear garden areas, both here and within St Nicholas Close, a sense of spaciousness prevails, consistent with the position at the edge of the village. Development here is somewhat wider grained than that of The Willows, and I therefore consider that the predominant character and appearance of the site's immediate surroundings is semi-rural.
14. I acknowledge that the appellants have given careful consideration to the appeal proposals in order to present an overall scheme that they believe addresses deliverability, saleability, village need, variety of dwelling type and the form and character of the surrounding area. I also appreciate that Council officers recommended approval of the applications to the planning committee. However, it was within the committee's gift to make a decision on the applications contrary to the officer recommendations, thus this consideration has had no bearing on my decision.
15. The Council has accepted with the outline permission that the site is capable of supporting 40 dwellings consistent with Policy G41.1 of the Council's Site Allocations and Development Management Policies Plan 2016 (DM), which requires at least 23 dwellings. Whilst there is no upper limit in terms of numbers of dwellings set out within DM Policy G41.1, proposals should comply with the development plan as a whole and take into account the effect on the form and character of the area.
16. The reserved matters scheme for 40 dwellings within a smaller site area, and the combined appeal proposals for 46 dwellings across the whole of the allocated site, whilst proposing some similar features and layout to the illustrative layout plan for the outline permission for 40 dwellings, would result

in a tighter urban grain of development that would be at odds with the prevailing pattern of development in the immediate surroundings. The development would be dominated by hard surfaces. There would be a prevalence of frontages with very little set back that would not be of sufficient depth to provide landscaping capable of adequately softening the impact of the proposals. The effect of the proposed density would be a less spacious layout, highlighted by shorter, narrower plots with tighter spacing between dwellings, reduced set back from the road and limited green frontages.

17. Although the entrance to the site would have a sense of spaciousness, with its retained woodland and open space area, once the corner into the wider development was turned there would be a predominance of hard surfacing and a sense of enclosure that would be generated from the inconsistent building lines and close proximity of many of the proposed dwellings to the edge of the highway. The combination of the above factors of the proposed layout indicates that the density would be too high and would not respond well to its context. This would be to the detriment of design quality and consequently to the character and appearance of the area. As a result, while the proposed layout may be an efficient use of land, it would be so by compromising the quality of the environment.
18. Contrary to the assertions of the appellants, the absence of a local design guide and code does not make the Framework's requirement to make optimal use of the potential of each site an overriding factor. It is clear from paragraph 129 of the Framework that, in the absence of locally produced design guides or codes, the National Design Guide (NDG) and National Model Design Code should be used to guide decisions on applications. Furthermore, paragraph 124 of the Framework sets out criteria to take account of when supporting the efficient use of land, which includes the importance of securing well-designed, attractive and healthy places.
19. The NDG reinforces that well-designed new development should make efficient use of land with an amount and mix of development and open space that optimises density. It advises that good urban design principles combine layout, form and scale in a way that responds positively to the context and that the appropriate density will result from the context.
20. I acknowledge that the proposals would provide adequate levels of parking and amenity space for each dwelling and that there would be a suitable mix of dwelling types and sizes, including policy compliant provision of affordable housing. Nevertheless, and notwithstanding the overall density of dwellings proposed across the site, the constraints of the shape of the site, combined with the overall increase in the number of dwellings proposed, would result in an overly intensive development. All of the above factors lead me to consider that the development proposed, as a whole, would detract from and be out of keeping with the prevailing spacious and semi-rural pattern of development in the immediate surroundings.
21. Overall, I conclude that the density of the proposed development would result in unacceptable harm to the character and appearance of the surrounding area. Consequently, the proposals would conflict with Policies CS06 and CS08 of the King's Lynn and West Norfolk Local Development Framework Core Strategy 2011 (CS), DM Policy DM15 and paragraphs 92(c), 120(b), 124, 126, 130 and 134 of the Framework which, together and amongst other matters, seek that

development optimises density taking into account site constraints and impact on the local area.

Appeals A and B - Living conditions

22. I have not been directed to any policy, local or national, that sets a requirement for the provision of garages. Whilst it may be a laudable aspiration to provide garages for all new dwellings, there is, nevertheless, no existing policy basis on which to refuse development where some dwellings are not provided with a garage. There is nothing in the evidence to suggest that the appeal proposals do not comply with the local plan requirements for parking provision in new developments as set out in DM Policy DM17. Furthermore, for the dwellings where garages would not be provided, sheds are proposed which would provide future occupiers with additional storage space and secure cycle parking.
23. I therefore conclude that the proposed development would provide satisfactory living conditions for future occupiers, with regard to the provision of garages. In this respect, the proposal does not conflict with DM Policy DM15 or paragraphs 130 and 134 of the Framework, where they seek to ensure high quality design and a high standard of amenity for future occupiers.

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24. The Council is concerned that the proposed development would not provide a safe and secure environment in regard to the provision of rear boundary treatments. This relates to the proposed dwellings where the rear gardens follow the northern boundary of the site. However, during the application process, amendments to the design were proposed in response to initial concerns raised by the Police Architectural Liaison Officer (PALO). Post and rail fencing at 1.2 metres high is proposed to be reinforced by hedgerow in order to secure the rear gardens along the northern boundary of the site.
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26. I, therefore, conclude that the proposed development would provide a safe and secure environment with particular regard to boundary treatments. Thus, the proposal complies in this respect with CS Policy CS08, DM Policy DM15 and paragraph 92(b) of the Framework, which together and amongst other matters seek to achieve safe places.

Appeal B

27. The Appeal B scheme seeks the erection of 6 dwellings on the north eastern corner of the allocated site (G41.1). The proposal would be remote from the proposed access to the site on Back Street. It would be reached via an estate road across an agricultural field. The proposal is clearly not a standalone scheme and is not purported to be so. The appellants accept that if the Appeal A scheme were to be dismissed the Appeal B proposal would also fail. I have

dealt with Appeal A and the combined proposals of Appeal A and Appeal B above.

28. I conclude in relation to Appeal B that development of the Appeal B site, in isolation from the remainder of the allocated site G41.1, would not be appropriate. It would not comply with CS Policies CS02, CS06, CS08, CS09, CS12, DM Policies DM1, DM2, DM15 and G41.4. The proposal would also conflict with paragraphs 119, 124, 130 and 134 of the Framework which, together and amongst other matters seek development that is well-designed.
29. I do not consider paragraph 125 of the Framework (this has replaced paragraph 123 of the 2019 Framework referenced in the Council's decision notice) to be relevant in this case, as there is no evidence to suggest that there is an existing or anticipated shortage of land for meeting identified housing needs in the Borough.

Other Matters

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37. I am satisfied that there is a development plan policy basis for seeking the provision of affordable housing within the proposed development and that the obligation meets the requirements of CS Policy CS09. The provision of such would satisfy the provisions and tests set out within the Framework and the Community Infrastructure Levy Regulations 2010. In these respects, the delivery of affordable housing is a benefit of the proposal which I return to in the planning balance.

Neighbourhood Plan

38. I am aware of the emerging Gayton and Gayton Thorpe Neighbourhood Plan. However, from the evidence before me, this plan is still at a very early stage. As such, I cannot attribute the plan any more than very limited weight at this stage.

Other concerns

39. I note the concerns raised by interested parties including existing drainage and flooding issues and pressure on local services. However, given my findings in relation to the main issues, I have not considered these matters further.

Conclusion

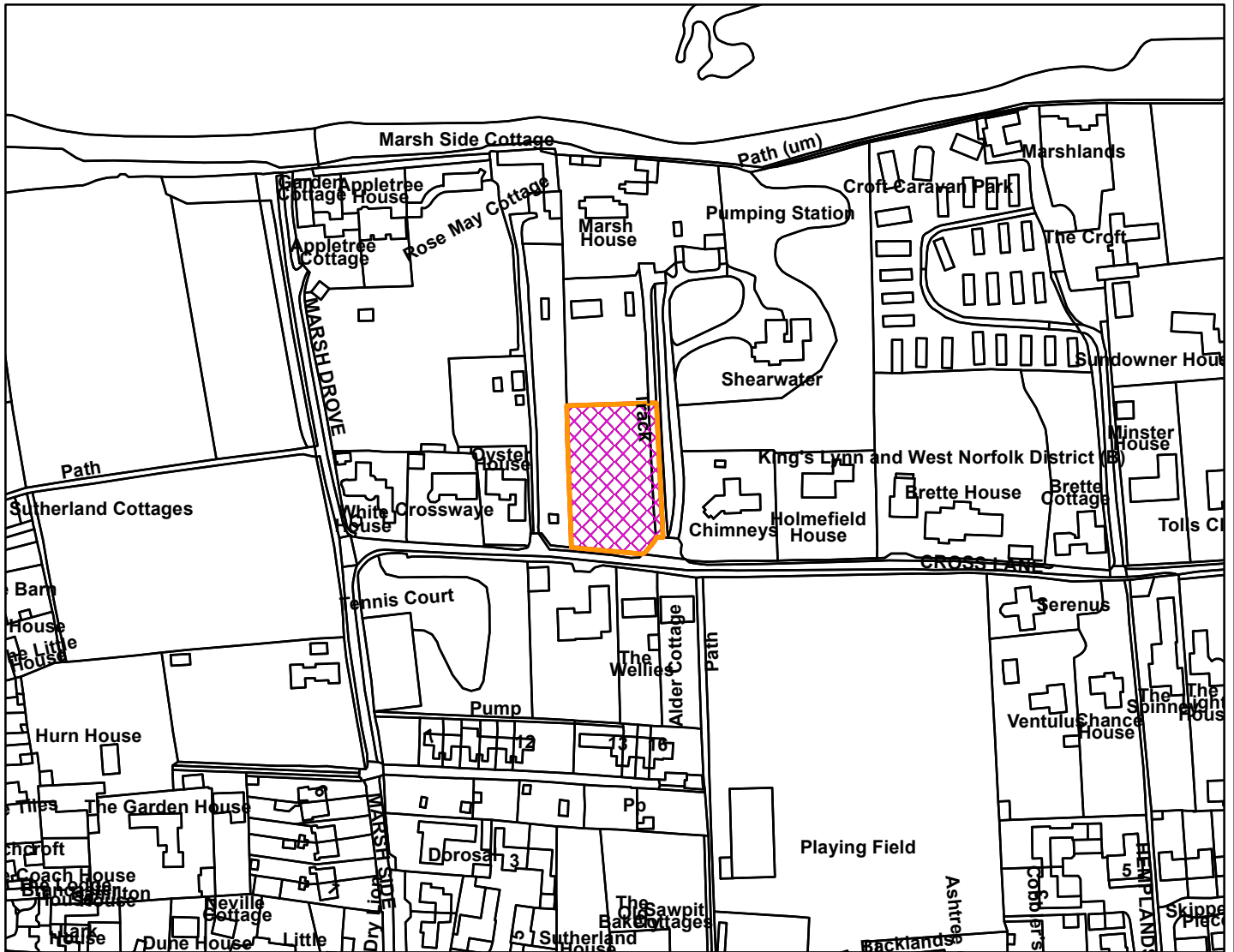
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42. The Council can demonstrate a supply of housing land of more than five years, but this is not a maximum and does not diminish the value of new housing. Nevertheless, the appeal proposals would result in unacceptable harm to the character and appearance of the area. This is a matter I give significant weight. Overall, the benefits of the proposed development would be outweighed by the harm I have identified. The proposals would conflict with the development plan as a whole and there are no other considerations including the provisions of the Framework which outweigh this finding.
43. Therefore, for the reasons given, both Appeals A and B are dismissed.

S Tudhope

INSPECTOR



Land at Cross Lane Brancaster PE31 8AE



Legend

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Scale: 1:2,500

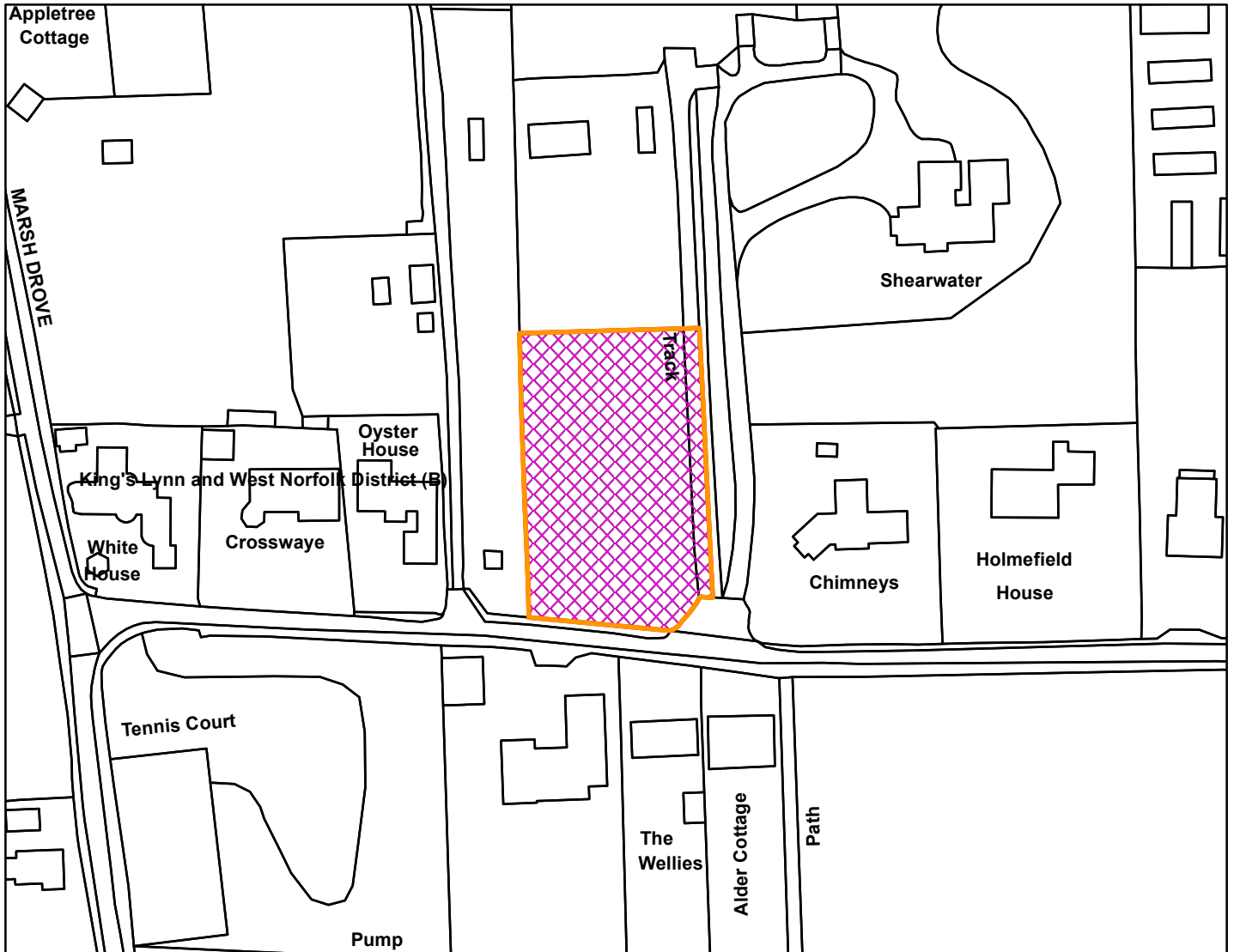
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Organisation	BCKLWN
Department	Planning
Comments	
Date	19/09/2024
MSA Number	0100024314



Land at Cross Lane Brancaster PE31 8AE



Legend

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Scale: 1:1,250

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Organisation	BCKLWN
Department	Planning
Comments	
Date	19/09/2024
MSA Number	0100024314

Parish:	Brancaster	
Proposal:	Reserved Matters application: Construction of one dwelling.	
Location:	Land At Cross Lane Brancaster King's Lynn	
Applicant:	Mr & Mrs H. Coghill	
Case No:	24/00280/RM (Reserved Matters Application)	
Case Officer:	Mrs N Osler	Date for Determination: 18 April 2024 Extension of Time Expiry Date: 11 October 2024

Reason for Referral to Planning Committee – Called in by Cllr de Winton and Officer Recommendation is contrary to Parish Council Recommendation

Neighbourhood Plan: Yes

Case Summary

The site is located on the northern side of Cross Lane in Brancaster which is classified as a Joint Key Rural Service Centre along with Brancaster Staithe and Burnham Deepdale in the Settlement Hierarchy of the Development Plan (CS02.)

The site is in a primarily residential location with residential properties to all four compass points, and a small caravan park to the northeast. To the immediate east of the site lies two accesses tracks that serve development to the north and separates the site from the property to the east (The Chimneys.) Access to the site will be from the western of these existing accesses tracks. Likewise, to the west of the site lies an existing access track serving development to the northwest. This, along with an area of amenity land, separates the site from the property to the west (Oyster House.)

Reserved matters consent is sought for access, appearance, landscaping, layout, and scale following approval of outline consent in April 2021 for 1no. dwellinghouse under application 20/01695/O.

The proposal is for a substantial detached, 2.5 storey, 6-bed dwellinghouse.

The site lies within the Conservation Area and North Norfolk National Landscape and is within Flood Zone 1.

Most of the trees along the eastern and southern boundaries of the site are protected by a Tree Preservation Order with the remainder being protected by virtue of their size and location within a Conservation Area.

Key Issues

Principle of Development
Form and Character and Impact on Conservation Area and National Landscape
Highway Impacts
Neighbour Impacts
Trees and Landscaping
Ecology and Biodiversity
Crime and Disorder
Other Material Considerations.

Recommendation

REFUSE

THE APPLICATION

Reserved matters consent is sought for access, appearance, landscaping, layout, and scale following approval of outline consent in April 2021 for 1no. dwellinghouse under application 20/01695/O.

The site is dissected in approximately a 70:30 split with the southern 70%, where most of the built form (the dwelling) is to be located, falling within the development boundary and the northern 30% laying outside of the development boundary. This fully accords with the outline consent.

The site has hedgerows to the western and southern boundaries the latter of which also has a low wall in to the southwest corner. The other two boundaries are currently unbounded. There is a substantial tree belt to the west of the site and several substantial trees along the southern boundary. These trees are protected by a Tree Preservation Order.

The proposed dwelling is a substantial 2.5-storey dwelling to be constructed from a mixture of flint with red brick ashlar and red brick with a small element of timber cladding under a red pantile roof.

Key Dimensions:

- Main ridge = 10.7m
- Main eaves = 6.2m
- Forward projection ridge = 5.8m
- Forward projection eaves = 3.3m
- Rear projection ridge = 5.6m
- Rear projection eaves = 3m

The proposed dwelling would provide:

at ground floor level:

- A kitchen / diner,
- Shadow kitchen,
- Larder,
- Wine Store,

- Snug / TV room,
- Lounge leading onto an outdoor dining area,
- Boot room,
- Utility,
- WC,
- Plant room,
- Covered storage area,
- Storage and
- Swimming pool and ancillary building containing plant, store, changing room and WC.

at first floor level:

- Three en-suite bedrooms, the principle of which has a dressing room and balcony,
- A further bedroom and
- Bathroom.

at second floor level:

- Two further bedrooms and a bathroom.

SUPPORTING CASE

We currently live in London with our three young children, but we have for a long time wanted to move back to Norfolk when the appropriate time in our lives arrived. With that in mind, we began looking for a family home in Norfolk several years ago and eventually bought a plot in Brancaster just over two years ago. We did not plan to build a new home, and in many ways buying an existing house would have been much easier, but the opportunity to build our future lives as residents on Cross Lane in Brancaster was too good to miss.

We have extensive current and longstanding family ties to Cross Lane and Brancaster, including an existing resident family member, as follows:

- Harry's grandparents lived in Brette House on Cross Lane (just a couple of hundred yards down the road from our plot) for many years during the 1960s and 1970s.
- Harry's grandfather assisted in the foundation of the village club in the early 1970s, was Brancaster Churchwarden for many years, and is buried in Brancaster cemetery.
- Harry's aunt moved back to Brancaster with her husband in 1994. Although she has since died,
- Harry's uncle still lives in Brancaster with his partner (also just a few hundred yards from our plot).
- Many members of Harry's family have celebrated important life events in Brancaster church over the years, including his older brother being christened there in 1976 as well as another aunt and cousin getting married there in 1970 and 2012 (respectively).

In terms of connections to the wider local community, Harry's parents have lived in the area for over 50 years (currently in South Raynham) and his younger brother is a local GP in Fakenham.

Harry was born in the Norfolk & Norwich in 1978 and grew up locally. He has been a member of Brancaster golf club since he was 10 years old and has deep family ties to the village.

Charlotte has visited the area regularly over the last 25 years and, since we have had children, spends each summer in Brancaster (in a house that we rent). She is an active member of the Brancaster Staithe sailing club and volunteers each summer to help with sailing courses that the club runs for children.

We intend to make Brancaster our full-time family home as soon as possible. In essence, Harry (fully supported by Charlotte) wants to “return home” to the area where he grew up and has subsequently spent so much time with his own family. We are not asking permission to build a holiday home, but rather our future family home: we intend to sell our home in London and move our family to Brancaster.

We have been open and upfront throughout the planning process that we would like six bedrooms in our new home. We currently have seven bedrooms in our London home (albeit one is currently used as a “home office”) and so this would allow us to maintain our current family lifestyle when we move to Brancaster. The bedrooms shown in the proposed design of our new home are relatively modest, but we would like to have two spare rooms so that we can have family and friends to stay at Christmas and other times throughout the year.

Indeed, it is our hope that our children will in due course have their own children and we would very much like our future grandchildren to have Brancaster as part of their lives, including by spending Christmas, Easter and other holidays with us.

Our close family links to the Brancaster community have resulted in strong local support for our plans, as demonstrated by the fact that we have the support of Brancaster Parish Council and that 12 public comments have been posted on the planning website – 11 of which are supportive (with no objections and the one neutral comment focussing on conservation issues that we have subsequently addressed through revisions to the design).

Officers are of the opinion that our application for a larger dwelling does not accord with Policy 1 (Appropriate Housing) of the Brancaster Neighbourhood Plan because we and our children do not currently live permanently in the village. However, the wording of the policy is open to interpretation.

Our wider family has been resident in Brancaster for many years, dating back to the 1960s, and the supporting text of Policy 1 recognises that “in exceptional cases in the opinion of the Parish Council there may be a need to provide 5 or more bedrooms to accommodate the needs of a resident local family”. In our case is clear support from the Parish Council who consider that the proposal complies with Policy 1 of the Neighbourhood Plan given our longstanding and existing links to the village and our full intention to be a local resident family, which constitute exceptional circumstances.

Moreover, the policy is not intended to prevent a family that wants to live full-time in Brancaster from building a six-bedroom home rather than buying an existing home of that size: the supporting text explicitly states that the purpose of the policy is to prevent further large second homes and holiday homes.

We would be extremely grateful if the committee felt able to support our plans to make Brancaster our future family home and to become full-time members of the village community we know so well.

PLANNING HISTORY

20/01695/O: Application Permitted: 09/04/21 - Outline Application for 1 dwelling further to subdivision of amenity land.

RESPONSE TO CONSULTATION

Parish Council: NO OBJECTION The Parish Council considers that this proposal complies with Policy 1 (size of housing) of the Brancaster Parish Neighbourhood Plan given the applicants' longstanding and existing links to the village and their intention to be a local resident family, which the Parish Council considers to constitute exceptional circumstances.

Highways Authority: NO OBJECTION In relation to highways issues only Norfolk County Council does not wish to restrict the grant of consent.

Should your Authority be minded to the grant of consent, I would seek to append conditions relating to visibility splays and parking provision.

Environmental Health & Housing – Environmental Quality: NO OBJECTION because it has been confirmed that the primary method of heating is ASHP with gas as backup.

Community Safety and Neighbourhood Nuisance: NO OBJECTION Mains drainage for foul water should be considered in relation to Anglian Water requirements which are that flows from a swimming pool are considered contaminated flows (Trade Effluent flows.)

We would also require conditions covering external lighting and ASHP details.

Natural England: NO OBJECTION subject to securing appropriate mitigation which in this instance should be via GIRAMS payment.

The shadow Habitats Regulation Assessment (sHRA) that was submitted by the applicant is of a standard that can be adopted by the Local Planning Authority as competent authority and Natural England can confirm that it agrees with the conclusions of the sHRA.

Senior Ecologist: NO OBJECTION Natural England have not raised any issues beyond a requirement for GIRAMS to mitigate in combination recreational impacts. Please could the sHRA GIRAMS template be completed by the planning officer so that it can be used as our record of HRA. I have no comments to make to make on this application.

Arboricultural Officer: NO OBJECTION to revised scheme. The applicant has reduced the width of the main 2 storey element 1m by moving the west gable towards the east increasing the gap to the west boundary trees. Moved the lower single storey garage wing eastward by 2m again increasing the gap to the west boundary trees making space for tree protective barriers and ground protection to the full extent of the RPA, rotated the pool so that it is outside the RPAs of the trees, and removed the boundary wall and moved the pool plant reducing the impact on adjacent trees. The outdoor dining area has been shown as being constructed on 4 posts similar to a typical carport type structure.

The applicant has submitted revised Arboricultural information reflecting the revised design which includes a revised Tree Protection Plan and Arboricultural Method Statement.

The revised design has addressed my initial concerns, and I can withdraw my objection to the proposal subject to tree and landscape conditions.

Conservation Officer: NO OBJECTION to revised scheme. The applicant has reduced the height of the two-storey section, rotated the swimming pool and retained the wall at the junction with Cross Lane. A heritage statement addendum has also been submitted.

These documents have allayed our concerns and we do not object to the application.

Planning Committee
7 October 2024

Please consider conditions relating to the repair and retention of the wall and details of all external materials.

REPRESENTATIONS

ELEVEN letters of **SUPPORT** have been received in relation to the proposed development. The reasons for support can be summarised as:

- The proposed development would maintain the high level of quality of development in Cross Lane and would not be out of keeping with other substantial family homes,
- The family have, and have had for many years, a substantial family connection to the immediate area,
- Younger families with the intention of living here permanently is what the community needs, not simply properties to be built and sold on or rented out at holiday times,

ONE letter neither objecting nor supporting the application was received. The issues raised relate to:

- Is the height and size of new dwellings as per the Neighbourhood Plan being considered?
- Hopefully the noise emanating from heating and pool plants will be minimised,
- The Conservation Team's initial comments should be seriously considered.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NEIGHBOURHOOD PLAN POLICIES

Policy 1 - Appropriate Housing

Policy 2 - Design, Style and Materials

Policy 3 - Footprint for New and Redeveloped Dwellings

Policy 4 - Parking Provision

Policy 8 - Protection of Heritage Assets and Views

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

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

Principle of Development

Form and Character and Impact on Conservation Area and National Landscape

Highway Impacts

Neighbour Amenity

Trees and Landscaping

Ecology and Biodiversity

Crime and Disorder

Other Material Considerations.

Principle of Development:

The principle of development (construction of 1no. dwelling) was found acceptable by extant outline consent granted under application 20/01695/O.

The layout has taken account of the development boundary with most of the built form (the dwelling) being constructed within the part of the site that falls within the development boundary and only a small element of the single storey rear projection (c.3.5m) extending beyond the development boundary.

Brancaster Neighbourhood Plan has several 'in principle' policies relating to the construction of new dwellings. Policy 1 is pertinent in this case and states *Residential development including new houses, replacement dwellings, conversions to homes or extensions to existing properties should be of a type and size that positively contributes to meeting the latest assessment of housing needs in general, and for smaller properties in particular. This includes providing starter homes or smaller family homes (up to three bedrooms) and dwellings to meet the needs of older people.*

Larger dwellings of five bedrooms or more will only be supported in exceptional circumstances where the approach meets the needs of a local resident family.

New buildings should be of a scale which is in keeping with the character of their immediate context. New dwellings should be two storeys in height unless it can be demonstrated that their bulk, mass, design and layout can be satisfactorily incorporated within the immediate locality.

Development proposals should take account of the key features of views of, and within, the Area of Outstanding Natural Beauty, the Brancaster Conversation Area and of listed buildings through careful design and sensitive layouts.

Appearance: The appearance of the dwelling and how it relates to its setting is covered in the following section of this report.

Size: The second paragraph states that larger dwellings of five bedrooms or more will only be supported in *exceptional* circumstances to *meet the needs of a local resident family*. That is to say that the family should be a local resident family and regardless of this, only in exceptional circumstances would such a large dwelling be supported.

However, whilst the LPA does not contest that the applicant has strong links and family ties to the area, they do not reside here; they currently live in London. Likewise, the LPA do not contest that the applicant wishes to relocate here, but that does not make them an existent resident family.

The applicant explains in a supporting statement that accompanied the application that as a family of five, six bedrooms are required to allow them to have two spare bedrooms. This would enable the applicants to have guests or grandparents stay overnight with them; with the future vision that the two additional bedrooms will allow their future grandchildren to come and stay. However, the LPA does not consider the desire for two spare bedrooms to represent a need or an exceptional circumstance but more of a wish list that many people aspire to.

Whilst the LPA acknowledges the support of the Parish Council as well as third party representations, the proposal does not accord with the policy requirements. It is also important to acknowledge that whilst third party support is for a permanent family home there is nothing preventing the property being sold on, unrestricted, as soon as it is built (it should be noted that the LPA is not suggesting this is what is planned; but without any control this is what could happen.)

In a bid to find a compromise, given that the preamble to Policy 1 makes it clear that this restriction is to try to ensure a permanent population, the LPA requested that the applicant agree to a principal dwelling condition. However, the applicant would not agree to such a condition for various reasons including that they were likely to initially be in breach of such a condition.

It is clear from the pre- and post-amble to Policy 1 of the Neighbourhood Plan is that the intention of this policy is to maintain a supply of smaller housing in the village.

Paragraph 2 of the NPPF reiterates the requirements of Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990 for *applications for planning permission [to] be determined in accordance with the development plan unless material considerations indicate otherwise.*

For the reasons outlined above, it is not considered that the proposed development accords with Neighbourhood Plan Policy 1 because the applicants are not a local resident family. Whilst it is acknowledged that policy is open to interpretation, your officers do not consider that the policy extends to the relatives of a family that resides in the village. Furthermore, your officers do not consider that two-additional spare bedrooms constitutes a need. Therefore, even if there were an exceptional circumstance, there is not a need.

The development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan and, because there are no material considerations that suggest the application should be considered contrary to the Plan, is also contrary to paragraph 2 of the NPPF.

Form and Character and Impact on Conservation Area and National Landscape:

The NPPF, along with the Development Plan and Brancaster Neighbourhood Plan, requires development to be sympathetic, respond sensitively to its surroundings, be visually attractive and add to the overall quality of the area. This is outlined in paragraphs 135a), b) and c) of the NPPF, Development Plan Policies CS08 and DM15 and Neighbourhood Plan Policies 1 and 2.

The site lies within the North Norfolk Coast National Landscape (NNCNL) and Brancaster Conservation Area; sensitive locations where greater considerations are required in terms of form and character and the impacts of the development.

National and Local Planning Policy and Guidance seeks to conserve and enhance National Landscapes. In relation to this aspect, given that the site is surrounded by built form, it is not considered that the development would have a material impact on the NNCNL.

The development therefore accords with the relevant paragraph of the NPPF (182), Development Plan Policy CS12 and Neighbourhood Plan Policies 1, 2 and 10 in relation to the impact on the National Landscape.

The Conservation Area is defined as a Heritage Asset in the NPPF. Paragraph 195 of the NPPF states *These 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 *When considering the impact of a proposed development on the significance of a designated heritage asset, great weight should be given to the asset's conservation (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.* Paragraph 206 of the NPPF requires any harm to the significance of a designated heritage asset to be clearly and convincingly justified with substantial loss only being acceptable in exceptional circumstances. Finally, paragraph 208 of the NPPF states *Where a development proposal will lead to less than substantial harm to the significance of a designated heritage asset, this harm should be weighed against the public benefits of the proposal including, where appropriate, securing its optimum viable use.*

Paragraph 213 of the NPPF acknowledges that not all elements of a Conservation Area will necessarily contribute to its significance.

Protection of the historic environment is reiterated in Development Plan Policies CS01, CS08, CS12 and DM15 as well as Neighbourhood Plan Policies 1, 2, 3 and 8.

In relation to the site, the Conservation Area Statement states *The area around Broad Lane and Cross Lane has a character which is quite distinctive to Brancaster. This consists of over twenty large properties set out in a low-density format laid out to the principles of 'informal arcadia' – a conscious attempt to create the illusion of a rural environment in a residential area. The villas are designed as surprise features in the landscape. As many of these properties were laid out in the early 20th Century, their heavily landscaped gardens have now reached maturity and the strong boundary planting creates quiet lanes along which the sound of garden birds is quite noticeable. The planting also includes some impressive specimen mature trees. In Cross Lane some dwellings have been demolished to*

be replaced by new houses or drastically extended, so that few of the original dwellings remain along the edge of the marsh.

This statement remains largely consistent with this part of Cross Lane which remains characterised by substantial dwellings centrally located within relatively large plots; most of larger dwellings are more modern replacement dwellings. There are also examples of 2.5 storey dwellings in the locality.

Policy 1, which is outlined in full in the *Principal of Development* section above, requires larger dwellings, where they comply with the other elements of the policy, to be of a scale which is in keeping with the character of their immediate context. In this regard, as outlined above, a 2.5 storey dwelling is contextually acceptable.

The proposed materials are vernacular and accord with Neighbourhood Plan Policy 2.

Plot coverage is less than 50% as required by Neighbourhood Plan Policy 3.

The proposed dwelling is considered to be of a scale, mass, design, and appearance that are consistent with the locality; the use of vernacular materials means that the proposed dwelling would respond to the context and character of the area and would be sensitive and sympathetic to the local setting and pattern of development.

The applicant has satisfactorily addressed all the concerns originally expressed by the Conservation Officer (which pertained to the sense of space being blocked and the openness being obstructed by virtue of the size of the building structures proposed to the front of the proposed and the provision of a boundary wall) by reducing the height of the two-storey element, rotating the swimming pool, and retaining the wall at the junction with Cross Lane.

Your officers conclude that the development would not result in harm to the Conservation Area (a designated heritage asset) and there is therefore no requirement for public benefit to be considered.

Therefore, in relation to form and character and the impact of the development on the National Landscape and Conservation Area, subject to condition, it is considered that the development accords with the NPPF in general and specifically to paragraphs 182, 195, 205 and 206 of the NPPF, Development Plan Policies CS01, CS08, CS12 and DM15 and Neighbourhood Plan Policies 1, 2, 3, 8 and 10.

Highway Impacts:

The NPPF (paragraph 114b)), Development Plan (CS11 and DM15) and Neighbourhood Plan (4) all require developments to provide safe access; with the latter two stipulating parking requirements, in this instance at least 3 spaces with on-site turning.

Access is proposed onto Cross Lane via an existing access track to the east of the site that provides access to the dwelling to the rear (Marsh House) which was originally the donor dwelling.

The Local Highway Authority raise no objection based on highway safety and have no objection to the proposed development subject to conditions relating to visibility splays and parking provision (in accordance with the submitted plans.)

Therefore, in relation to highway impacts and parking provision, subject to condition, it can be concluded that the development accords with the NPPF in general and specifically to

paragraph 114b) of the NPPF, Development Plan Policies CS11 and DM15 and Neighbourhood Plan Policy 4.

Neighbour Amenity:

Paragraph 135f) of the NPPF requires development to have a high standard of amenity for existing and future users.

This is reiterated in Development Plan Policy DM15 that states that development that has a significant adverse impact on the amenity of others will be refused.

The main two-storey element of the dwelling that contains habitable windows at first and second floors is of a distance that suggests there would be no material overbearing, overshadowing or overlooking impact.

Proposal to dwelling distances are as follows:

- to Chimneys (to the east) = c.30m
- to Scuppers (to the south (on opposite side of Cross Lane)) = c.36m
- to Oyster House (to the west) = c.23m
- to Marsh House (to the north) = in excess of 85m.

Construction hours and construction workers parking could be secured by condition as could air source heat pump details if permission were granted.

Therefore, in relation to neighbour amenity, subject to condition, it is considered that the proposed development accords with the NPPF in general and specifically to paragraph 135f) of the NPPF and Development Plan Policies CS08 and DM15.

Trees and Landscaping:

Trees: Most of the trees on this site are protected by virtue of their size and location within a Conservation Area with all those trees to the west and south additionally benefitting from a Tree Preservation Order (TPO) (2/TPO/00249 – Mixed trees.)

The NPPF places great weight on the importance of trees with paragraph 136 requiring *that existing trees are retained wherever possible.*

No trees are to be lost and five new trees are to be planted near the northern boundary of the site. Details of the new trees could be secured by condition.

Amended plans have fully addressed the initial concerns expressed by the Arboricultural Officer (which pertained to proximity of the proposed development to existing trees) by reducing the width of the main two-storey element 1m by moving the west gable towards the east increasing the gap to the west boundary trees, moving the lower single storey garage wing eastward by 2m again increasing the gap to the west boundary trees making space for tree protective barriers and ground protection to the full extent of the RPA, rotating the pool so that it is outside the RPAs of the trees, and removed the proposed boundary wall and moved the pool plant reducing the impact on adjacent trees. The outdoor dining area has been shown as being constructed on four posts similar to a typical carport type structure.

Subject to conditions relating to tree protection and retention the Arboricultural Officer has no objection to the proposed development based on its impact on protected trees.

Landscaping: Landscaping is shown on the proposed site plan although it is not sufficiently detailed and if permission were granted further details could be secured by condition. However, the plans show retention of the existing southern hedge with additional hedge planting to its north (around the pool area) as well as new hedge planting along the western and northern boundaries and northeast corner. Most of the garden is laid to lawn although areas of planting are shown principally around the pool and a green roof is proposed at first floor level over the proposed snug / TV room.

In relation to trees and landscaping it is therefore concluded that the proposed development, subject to conditions, accords with the NPPF in general and specifically to paragraph 136 of the NPPF and Development Plan Policy CS12.

Ecology and Biodiversity:

The NPPF places great weight on protecting and enhancing habitats and biodiversity, with Chapter 15 of the NPPF concentrating on this subject that includes protected sites, sites of specific scientific interest, habitats, and protected species.

This is reiterated in Development Plan Policies CS12 and DM19.

Ecological mitigation was secured at outline stage and is not the subject of this reserved matters application.

A shadow Habitat Regulations Assessment was submitted with the application that has satisfied Natural England and the LPA's Senior Ecologist that, subject to payment of the GIRAMS fee (Green Infrastructure and Recreational Avoidance Mitigation Scheme), the development would not result in a likely significant impact on [European] Protected Sites.

Your officer can confirm that the GIRAMS payment, in accordance with Development Plan Policy DM19, was paid on submission of this application.

Lighting, that could impact both visual and neighbour amenity as well as light sensitive ecological receptors could be suitably conditioned if permission were granted.

Therefore, in relation to ecology and biodiversity, subject to condition, the development accords with the NPPF in general and specifically to Chapter 15 of the NPPF and Development Plan Policies CS12 and DM19.

Crime and Disorder:

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

Other Material Considerations:

Flood Risk: The site is not in a known area at risk of flooding.

Drainage: Drainage details are lacking. However, the development would have to meet building regulations requirements in relation to drainage so is fully covered under other legislation.

Notwithstanding this, given the lack of detail foul and surface water drainage (the former of which includes 'trade effluent' from the swimming pool) could be suitably conditioned if permission were granted.

Heating: The Primary heating source will be ASHP's which will be located within the heating services area (at the rear of the single storey rear projection), and the proposed two-way fires will be a secondary heating source. It is likely that the proposed two-way fires will be gas fires rather than log burners in line with the Environmental Quality Officer's suggestion.

CONCLUSION:

The application seeks reserved matters consent for access, layout, appearance, scale and landscaping.

The report has shown that the proposed dwelling itself is acceptable in all regards being of a scale, mass, design and appearance that relates well to the site and its wider setting and would not result in harm to the Conservation Area or North Norfolk Coast National Landscape, would not result in highway safety or neighbour amenity issues with issues such as lighting, construction hours and parking, and drainage being able to be suitably conditioned.

However, unfortunately, and contrary to the opinion of the Parish Council, the applicants are not a local resident family, they do not have a need for a six-bedroom dwelling (more a desire), and there are no exceptional circumstances to suggest that a six-bedroom dwelling should be approved. The development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan, which forms part of the Development Plan.

There are no material considerations that outweigh the departure from the development plan, and it is therefore recommended that this application be refused for the following reason.

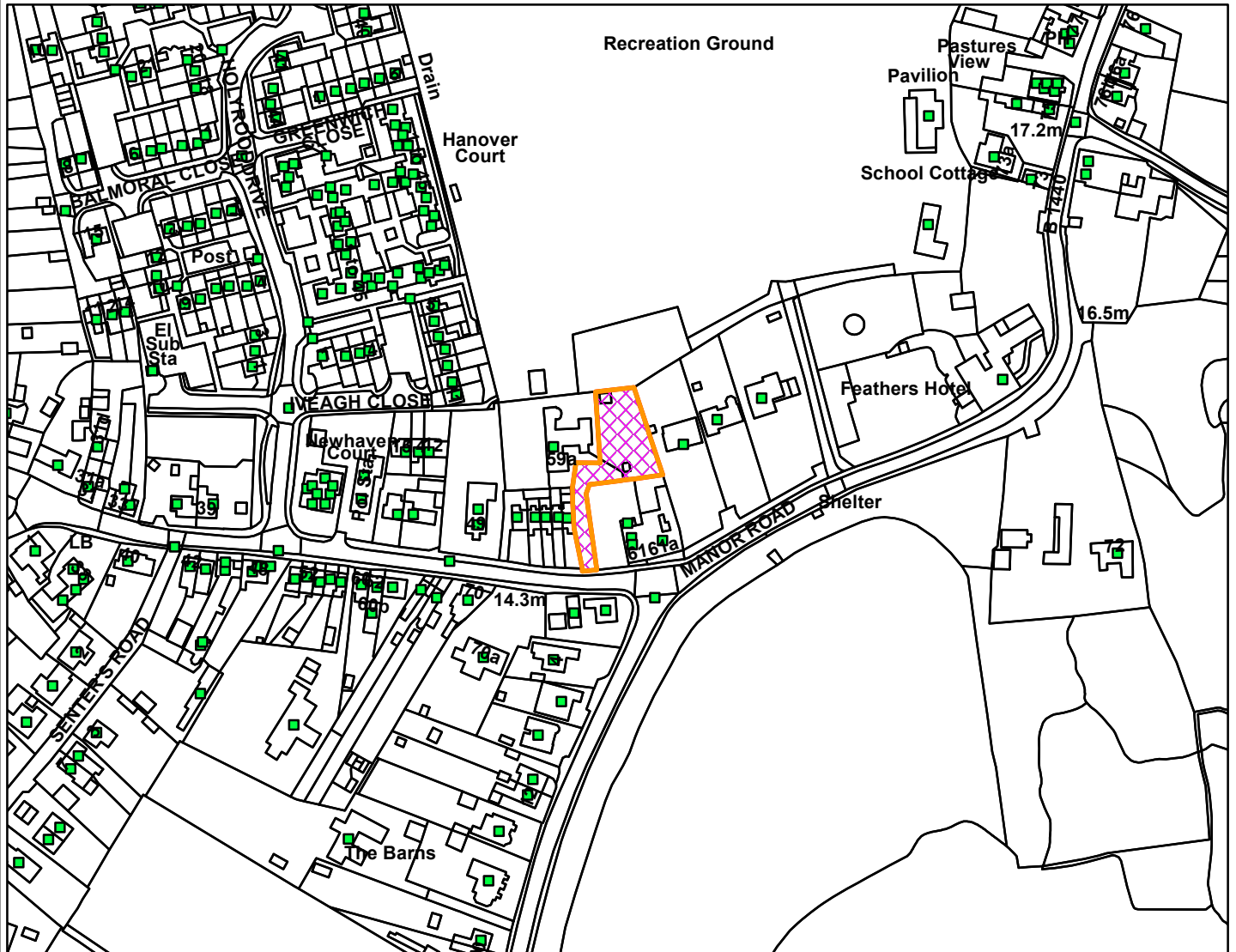
RECOMMENDATION:

REFUSE for the following reason(s):

- 1 Whilst having local ties to the area, the applicants currently live in London and are therefore not a local resident family. Furthermore, even if they were a local resident family, they do not have a need for a six-bedroom dwelling (the provision of two spare bedrooms being a desire more than a need) and there are therefore no exceptional circumstances. The proposed development is therefore contrary to Policy 1 of Brancaster Neighbourhood Plan and because there are no material considerations that suggest the application should be considered contrary to plan is also contrary to paragraph 2 of the NPPF.



59A Manor Road, Dersingham, King's Lynn, PE31 6LH



Legend

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Scale: 1:2,500

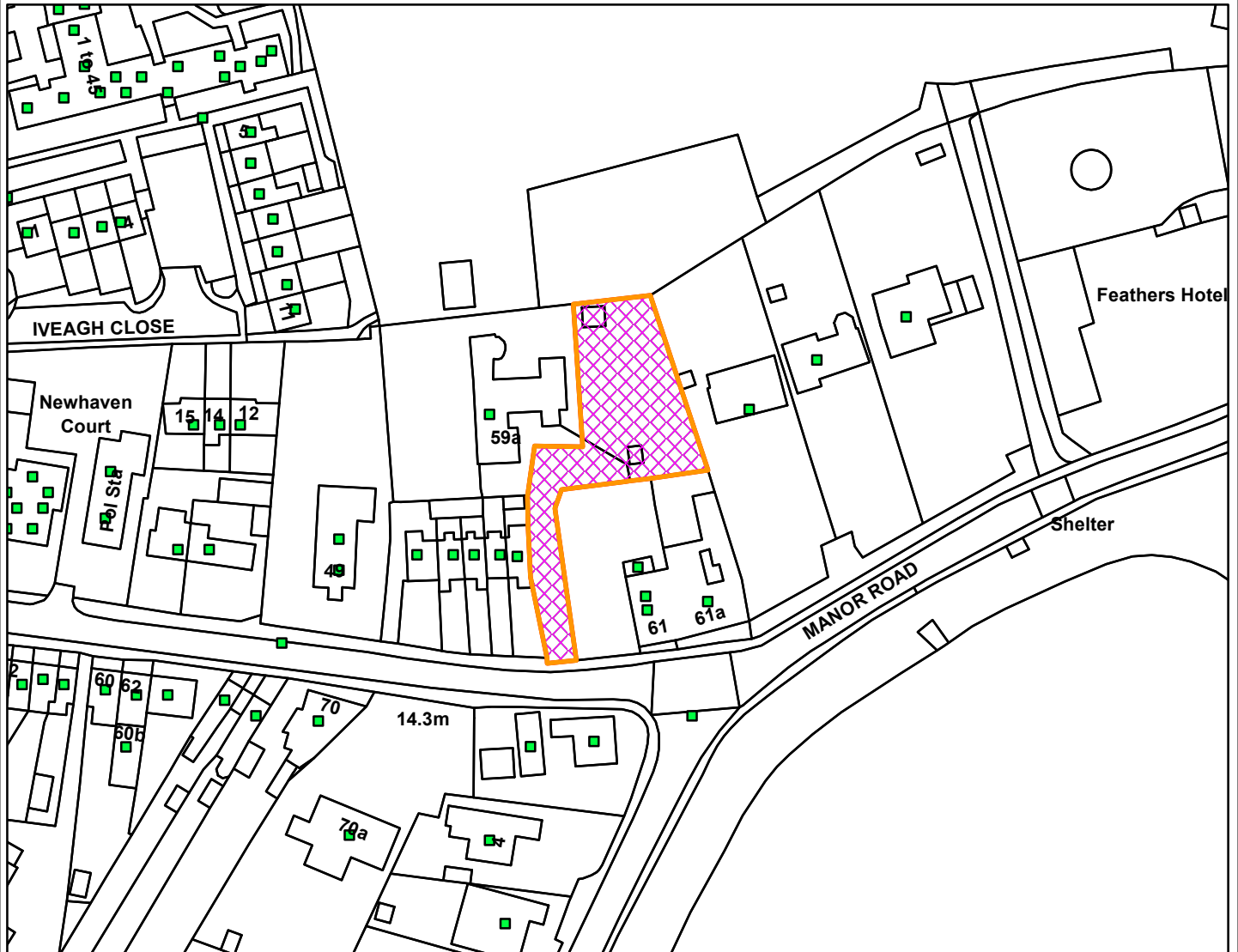
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314



59A Manor Road, Dersingham, King's Lynn, PE31 6LH



Legend

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Scale: 1:1,250

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314

Parish:	Dersingham	
Proposal:	Proposed new dwelling	
Location:	59A Manor Road Dersingham King's Lynn Norfolk PE31 6LH	
Applicant:	Bespoke Norfolk Group	
Case No:	24/00504/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 7 June 2024 Extension of Time Expiry Date: 14 October 2024

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

Neighbourhood Plan: No

Case Summary

The site is formed from part of a residential curtilage, the side garden of a chalet style bungalow set in a backland position off Manor Road, Dersingham.

Full planning permission is sought for a new dwelling to the existing dwelling, the host property. Vehicular access would be shared with the existing dwelling.

The site is within the Development Boundary of Dersingham, a Key Rural Service Centre as defined by the Local Plan, and within the Dersingham Conservation Area.

Key Issues

Principle of Development and Planning History
 Impact on Form and Character / Heritage Assets
 Impact on Neighbour Amenities
 Impact on Highway Safety; and
 Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is the side garden of a bungalow at 59a Manor Road. This property is set to the rear of a terrace of houses and a building in use as tea rooms, Petals Tea Room. The site would share an existing vehicular access with the existing property. The vehicular access is on the northern side of Manor Road almost opposite the junction with Sandringham Road.

Sandringham Road and a part of Manor Road which is to the east of the vehicular access form the B1440.

To the rear (north) of the site is a playing field, The Pastures.

The proposal is for a detached bungalow with a side gable roof. The bungalow would have a front roof light and four roof lights on the rear roof slope.

The proposed bungalow would have four bedrooms, two within the roof space and a bedroom and a bedroom/study on the ground floor.

Three parking spaces would be provided for the proposed bungalow and the plans show provision of three parking spaces for the host property.

The proposed bungalow would have a footprint some 12.6m wide by a depth, excluding a front canopy, of 9.2m. The bungalow would have a maximum height to its ridge of 5.8m, and 2.5m to the eaves.

External walls would be of carrstone panels with Norfolk red brickwork to the front and side elevations, brickwork to the rear elevation and the roof would be of red/orange clay pantiles. A flue on the rear roof slope would be of metal with a black finish.

An air source heat pump would be set on the ground by the rear elevation, by the north-western corner of the bungalow.

SUPPORTING CASE

A Supporting Statement has been submitted, offering the following case: -

'This application proposes a modest family chalet bungalow of traditional materials within the defined development boundary of the village, that would preserve the character and appearance of the Dersingham Conservation Area.

A previous application for a new dwelling was submitted back in 2021 but despite receiving an Officer recommendation to approve, it was subsequently refused at Planning Committee on the grounds the proposal would be detrimental to the amenities of neighbouring residents at no.61a to the south, by virtue of its southern gable-end being constructed on the shared boundary, causing an overbearing impact. This was the only reason for refusal. The application was not refused on the grounds of the site being unacceptable for the provision of a new dwelling. The principle of development is therefore considered acceptable.

In response to the previous reason for refusal, this current application seeks to prevent any undue impact on the neighbouring property to the south by setting the proposed dwelling deeper into the plot, away from the boundary of no.61a's garden, maintaining the existing fenced boundary. Additionally, no first-floor windows to habitable rooms are proposed on the

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front elevation ensuring there would be no unacceptable overlooking of this neighbouring property.

A contemporary design was originally proposed, but in order to address Officer concerns the scheme was amended in July to revert back to a more traditional Carstone chalet bungalow with a red tiled roof. The revised proposal would be wholly in keeping the existing street scene of Manor Road, as recognised by the Council's Conservation Officer in her positive consultation response.

Vehicular access to the site will remain as existing with the proposed new dwelling being provided with 3 no. on site car parking spaces as well as 3 no. spaces being retained for the donor property. Norfolk County Highways have therefore raised no objection to the proposed development.

In terms of trees, an Arboricultural Implications Assessment and Tree Protection Plan was submitted in support of the application and the Council's tree officer has confirmed he has no objection to the proposals. Approval for the removal of 4 no. trees was given on 26th October 2023 under application ref: 23/00183/TREECA, which remains valid for 2 years from the date of decision. One further tree is required to be removed for the purposes of this application, but all trees to be removed have been assessed as being of low quality and unsuitable for retention. As confirmed by the Council's tree officer, their removal would not be significantly detrimental to the amenity value of the Conservation Area. Two existing trees (1 x Plum and 1 x Bay) would also be retained as part of the development.

Although the application is not subject to mandatory biodiversity net gain, ecological enhancements are proposed as part of the development, as shown on the submitted Ecological Mitigation and Enhancement Plan. Measures include: a small bird nest box; swift nest box; bat shelter; bee bricks; and hedgehog fence holes.

The concerns of the Parish Council in relation to a potential underground watercourse beneath the site are noted but it is not a watercourse that is part of a main river and the area of Dersingham does not have Internal Drainage Board coverage. It would therefore be Norfolk County Council as lead local flood authority that would be the responsible authority. However, the water management team at NCC have advised they have not been able to find any information regarding such a watercourse on their systems. Notwithstanding this, there is a separate watercourse consenting regime under the Land Drainage Act 1991 that would need to be followed if planning permission is approved and any proposed works would affect the flow of the watercourse. As a result, the potential presence of an underground watercourse should not preclude development given it is covered by a separate process and legislation.

To conclude, the proposed development would provide an additional modest dwelling on an existing residential site within the development boundary of Dersingham. The proposal is acceptable in terms of highway safety, trees and ecology; is of a suitable size, scale and design that would preserve the character and appearance of the conservation area; it would provide a high-quality living environment for future occupiers; and would not result in any detrimental impact on neighbour amenity.

As a result, the development is considered to accord with all relevant planning policies of the adopted Local Plan, as well as national planning policies and guidance within the revised NPPF (2023). It is therefore respectfully requested that Members grant planning permission subject to conditions in accordance with the Officer recommendation'.

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PLANNING HISTORY

21/00081/F: Application Refused (COMMITTEE): 15/07/21 - Proposed new Dwelling - 59A Manor Road, Dersingham

20/01420/F: Application Withdrawn: 16/11/20 - Proposed new dwelling - 59A Manor Road

RESPONSE TO CONSULTATION

Parish Council: **OBJECT**

- Inappropriate design within a Conservation Area and the proposed property is out of character with neighbouring properties.
- Loss of trees, especially the walnut tree which is clearly visible from Manor Road and the Sports Ground
- The proposed property will be visible to neighbouring properties and from Manor Road and the Sports Ground
- Over development of the site
- Concern that the proposed building is sited over a water course which could damage the flow of water from the surrounding hills to The Wash. A copy of the watercourse Information from Ordnance Survey PGSA water network overlays has been attached.

Highways Authority: NO OBJECTION conditionally

Anglian Water: The application falls outside the remit for comment by Anglian Water.

Water Management Alliance: NO COMMENT TO MAKE.

Environmental Quality: NO OBJECTION

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

Conservation Officer: NO OBJECTION- subject to conditions relating to details of materials and windows.

Arboricultural Officer: NO OBJECTION conditionally

Ecology Officer: NO OBJECTION conditionally

REPRESENTATIONS

FOUR letters of **OBJECTION**, raising the following concerns: -

- Almost the same as proposed a few years ago.
- Large dwelling
- Overdevelopment
- Narrow driveway
- Impossible for a fire engine or other emergency vehicle to gain access to the plot.
- Garden location / garden grabbing.
- Impact upon the environment
- Local wildlife

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- Removal of significant green space
- Loss of trees
- The drawings are misleading.
- Incorrect boundaries
- No understanding of the historical architectural idiom
- Impact upon the conservation area
- Impact on residential amenity
- South end of car port intrudes on the neighbouring fence
- Noise and disturbance to a small garden
- pollution
- Additional congestion

ONE NEUTRAL representation requesting information on the application.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS08 - Sustainable Development

CS09 - Housing Distribution

CS12 - Environmental Assets

CS06 - Development in Rural Areas

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

DM19 - Green Infrastructure/Habitats Monitoring & Mitigation

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

OTHER GUIDANCE

Conservation Area Character Statement.

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PLANNING CONSIDERATIONS

The main considerations are:

Principle of Development and Planning History
Impact on Form and Character / Heritage Assets
Impact on Neighbour Amenities
Impact on Highway Safety; and
Other Material Considerations

Principle of Development and Planning History:

The application site lies within village of Dersingham which is classified as a Key Rural Service Centre within the Core Strategy's Settlement Hierarchy. Local Policy supports limited growth of a scale and nature appropriate to securing the sustainability of the settlement.

The principle of the development would therefore be acceptable in accordance with Development Plan Policies CS02 and CS06 of the Core Strategy (2011); and Policy DM2 of the SADMPP (2016).

A historic application (21/00081/F) for the construction of bungalow on the application site was refused by the planning committee in June 2021 on grounds of overbearing impact on the neighbouring residents. The reason for refusal reads as follows: -

'The proposed development would be detrimental to the amenities of the neighbouring residents at No. 61a to the south of the application site, by virtue of its southern gable-end being constructed on the boundary, causing an overbearing impact'.

The current application aims to address this issue through amending the layout of the development and moving the proposed dwelling away from the southern boundary of the site.

Form and Character and Impact on Heritage Assets:

The site of the proposal is situated within the Dersingham Conservation Area and behind a number of properties that are marked within the appraisal as being important unlisted buildings. These are buildings which contribute positively to the character and significance of the conservation area.

61 and 61a are now called Petals Tea Room which is a late 19th early 20th century building with a pleasing traditional shop front constructed from brick and car stone; 51-59 Manor Road is a traditionally proportioned terrace of car stone cottages, with good sized front gardens that are architecturally pleasing and make a positive contribution to the character of the street scene. These cottages are present on the tithe map of the area (1836-1850) and both the cottages and the Petals tearoom are certainly visible on the first edition OS mapping (1879-1886).

The first edition OS mapping shows the space behind these important unlisted buildings as being open space, probably paddocks or productive land associated with the villagers.

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The site is visible set behind the car park of Petals Tea Room. The context of the street scene at this point is one of traditional buildings, notwithstanding the modern bungalow which has been built adjacent to the application site.

Being situated within a historic street scene in the centre of historic Dersingham, negotiations have taken place during the course of this application where the initial contemporary design was omitted, and it now incorporates more of the historic form and materials which could be expected in this location. Whilst the footprint and form of the proposed dwelling is simple, the proposed Norfolk red bricks, carrstone and red/orange pantiles would be in keeping with the street scene at this point.

Although this is a part of the conservation area which requires sensitive development, this does not mean pastiche, it is therefore considered that the amended scheme adequately assimilates the design of a new property into the historic environment. And thus, the proposal would cause less than substantial harm to the setting of the Conservation Area (designated heritage asset) and to the significance of the adjacent non-designated heritage assets. This low-level impact is considered to be outweighed by the public benefits of providing an additional dwelling to the local housing stock, in accordance with paragraphs 208 and 209 of the NPPF.

On the basis of the above, it is considered that the proposal accords with Local Plan Policies CS06, CS08, CS12 and DM15; and paragraphs 135, 195, 200, 201, 203, 205, 206 and 209 of the NPPF.

Impact on Neighbour Amenity:

The application site is surrounded by residential development to its west (the donor dwelling), east and south. The properties to the south include a dwelling at No.61a and an adjoining café / tea rooms; No.61. The tea rooms car park directly adjoins the application site and is divided by a 1.8m timber boundary fence. It is therefore not considered that the proposed development would cause any disamenity issues to No.61 (tea rooms).

The applicant has sought to address the previous reason for refusal, and the impact upon No.61a, by removing the built form away from the southern boundary and siting the dwelling more centrally within the application site. Whilst the proposed dwelling is to be located within proximity to the eastern site boundary, it would not 'abut' it in the same way as the previous proposal did.

As the southern boundary of the site tappers, the proposed dwelling would be approximately between 13.9m and 14.9m from it, with parking and turning and some garden space to the front of the new dwelling. There would be approx. 19m - 27.6m separation distance between the front (southern) elevation of the proposed dwelling and the rear (north) elevation of the neighbouring dwelling at No.61a. There are no windows to the north projecting elevation of No.61a closest to the application site.

It is considered therefore that there would be sufficient separation distance so not to cause a material impact in terms of overshadowing, overbearing or overlooking.

The proposed dwelling would be approximately 3.5m from the western boundary and approx. 3.8m between the proposed and the host property. There are two windows proposed within the western elevation of the new dwelling at ground floor level serving a bedroom / study and a kitchen. There are also ground floor windows within the eastern side elevation of the host dwelling. However, a form of boundary treatment is proposed as shown on the

submitted plans in order to screen any outlook from those respective windows. Full details of such can be conditioned.

Furthermore, the ground levels remain relatively even across the application site and the host site and it is intended to maintain those as such.

It is considered that there is adequate separation distance between the proposed and donor dwellings, together with their orientation and relationship with one another so not to cause overshadowing or overbearing impact.

In terms of the relationship with the neighbouring property to the east, there would be a separation distance of between 4m and 6.1 to eastern site boundary and approx. 10.6m between the side elevation of both dwellings. There are no ground floor windows proposed within the eastern elevation of the proposed dwelling. Neither does it appear that there are any windows to the side elevation of the neighbouring property that could be affected by the proposed development.

The existing 1.5 – 1.8m brick wall to the eastern boundary is proposed to be retained, as are some of the trees. Additionally, there are two mature trees in close proximity of the shared boundary within the neighbour's site which offer screening.

Given the separation distances involved, together with the modest scale of the proposed dwelling, it is considered that the proposal would not cause a material impact to the neighbouring residents to the east in terms of overshadowing, overlooking or overbearing impact.

The proposed dwelling would be 1.5 storeys in height and therefore rooflights are proposed within front (south) and rear (north) roof slopes of the proposal. The southern rooflight would serve a landing, which is a non-habitable space and would therefore cause no material overlooking. The rooflights to the northern roof slope would serve bedrooms and ensuites but would cause no material overlooking due to the shallow pitch of the roof and the angle of outlook. Notwithstanding this, there are no residential dwellings neighbouring the site to the north.

In summary, it is considered that the proposed development would have regard for the amenities of the neighbouring residents in accordance with Development Plan Policies CS08 and DM15; and the general provisions of the NPPF, but in particular section 12.

Highway Safety:

The proposed dwelling would utilise an extant means of access onto Manor Road. The Local Highway Authority raises no objection to the proposed development as there would be an improved and adequate visibility onto Manor Road in both directions. Further, there would be adequate space for both dwellings to have parking and turning provision to enable a vehicle to exit the site in a forward gear.

The site access has had a dropped kerb constructed to Manor Road to improve access, but the site access road is made of loose gravel that can spill out onto the highway. It is therefore recommended that a short section is replaced with a solution that is permeable for at least 5 metres back from the highway of gravel in plastic grid or paving. This will be conditioned.

It could be beneficial for the residents if the entire length of the site access road and the parking/turning area was treated in the same way to make it more resilient to vehicular use and ease of dragging bins to the kerbside.

The Local Highway Authority comments on the fact that parts of the new dwelling would be more than 45 metres from the highway and therefore Norfolk Fire and Rescue should be consulted.

This would be covered by separate legislation.

It is considered that the proposed development accords with development Plan Policies CS08, CS11 DM15 and DM17; and the provisions of the NPPF, in particular section 9.

Other Material Considerations:

Trees:

This proposal requires the removal of 5 trees, all assessed as being of low quality and unsuitable for retention in new development. Approval for the removal of 4 of the trees was approved under a Section 211 notification decision 23/00183/TREECA, on the grounds that the trees were not of any particular importance to the area and their removal would not be significantly detrimental to the amenity value of the area or to the Conservation Area in this part of Dersingham.

The same can be said of the one other tree proposed for removal T9 a moderate Walnut tree. Although tree removal is undesirable, the trees are not of sufficient value to justify a Tree Preservation Order. One other tree is proposed for retention and there are two trees in the neighbouring garden that could be affected by this proposal. The applicant has submitted a supporting Arboricultural Implications Assessment, and Tree Protection Plan/Method Statement by plandescil, which will be conditioned in order to protect those retained trees.

The Council's Arboricultural Officer raises no objection to the proposed development on the basis of the above. The proposal therefore complies with Core Strategy Policy CS12; SADMPP Policy DM15 and the general provisions of the NPPF.

Ecology:

All development has a duty to provide measurable net gain biodiversity under the NPPF. The proposal will result in the loss of trees and garden habitat and as such appropriate ecological enhancement measures have been proposed, including the following measures: -

- A bat shelter
- A swift nesting box
- Small bird nest box
- A bee brick
- Pollinator friendly planting
- Hedgehog holes within boundary fencing

The Council's Ecologist raises no objection to the proposed development on the basis of the above. The enhancement measures will be secured through condition.

The application will result an increase in overnight accommodation which triggers GIRAMS. A Shadow Habitats Regulations Assessment has been submitted in support of the application and the GIRAMS fee has been paid to compensate for any impact.

Flood Risk:

The site falls within Flood Zone 1 and therefore the risk of flooding is low and no such Flood Risk Assessment is required for the proposed development.

Drainage:

In regard to the unknown water course which is said to run through the centre of the site underground, the LPA and the Planning Agent have endeavoured to investigate this by contacting Anglian Water and the LLFA but to no avail. Furthermore, the application site lies outside of the Internal Drainage Board jurisdiction.

The architect has suggested that it could potentially be a culvert that carries a watercourse, and from the map submitted by the Parish Council, it seems to already go under other buildings in the vicinity.

It therefore does not preclude development, or planning permission being granted. Given it is definitely not a watercourse that is part of a main river and the area of Dersingham does not appear to have an Internal Drainage Board coverage, it would be NCC as lead local flood authority would likely be responsible for it, although it has not been possible to confirm this.

There is a separate watercourse consenting regime under the Land Drainage Act 1991 that would need to be followed if planning permission is approved and it turns becomes apparent that the proposed works would affect the flow of the watercourse.

Whilst the concerns raised regarding the underground watercourse are noted, this is covered by separate legislation outside of the scope of planning control.

Notwithstanding this, a condition is recommended requesting full details of foul and surface water drainage.

Contamination:

The applicant has provided a screening assessment indicating no known contamination. The Council's records of the site indicates that there are structures on the proposed access. The portion of site with the proposed dwelling has not been developed for the duration of our records. The surrounding landscape is largely residential. The applicant should be aware that property is in an area where 10-30% of homes could be above the action level for radon. The Council's Environmental Quality Team recommends that the applicant seeks advice from Building Control.

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

Third Party Representations:

All Third Party concerns have been taken into consideration in making a recommendation for this application, most of which have been addressed above in the report.

Any concerns raised in regard to incorrect boundaries is a civil matter, outside the scope of planning control.

CONCLUSION:

The NPPF (2023) (Paragraph 2) states that Planning Law requires that application for planning permission be determined in accordance with the development plan, unless material considerations indicate otherwise, as set out in Section 38(6) of the Planning and Compulsory Purchase Act 2004 and section 70(2) of the Town and Country Planning Act 1990.

The overriding objective of the NPPF is a presumption in favour of sustainable development in accordance with an up-to-date plan.

The principle of residential development on the site would be acceptable in accordance with the Development Plan.

The proposed development is considered to be of an acceptable scale, design, appearance and layout for the reasons set out above within this report. It is not considered that the proposal would have a detrimental impact upon the amenities of neighbouring properties due to adequate separation distances together with screening from existing and proposed boundary treatments.

As such it is considered that the current proposal addresses the previous reason for refusal under application 21/00081/F relating to overbearing impact to the south.

Access, parking and turning accords with adopted standards and as such, the Local Highway Authority raises no objection to the proposal.

Despite the Council's best intentions, it has not been possible to obtain any further information regarding the potential underground watercourse within the site. Notwithstanding this, there is separate legislation which controls development within easement zones of watercourses which falls outside of the scope of planning control, and thus would not warrant refusal of the application.

Overall, the proposed development is considered acceptable and complies with Local Plan Policies CS01, CS02, CS06, CS08, CS11 and CS12 of the Core Strategy (2011); Policies DM1, DM2, DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023).

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.

Planning Committee
7 October 2024

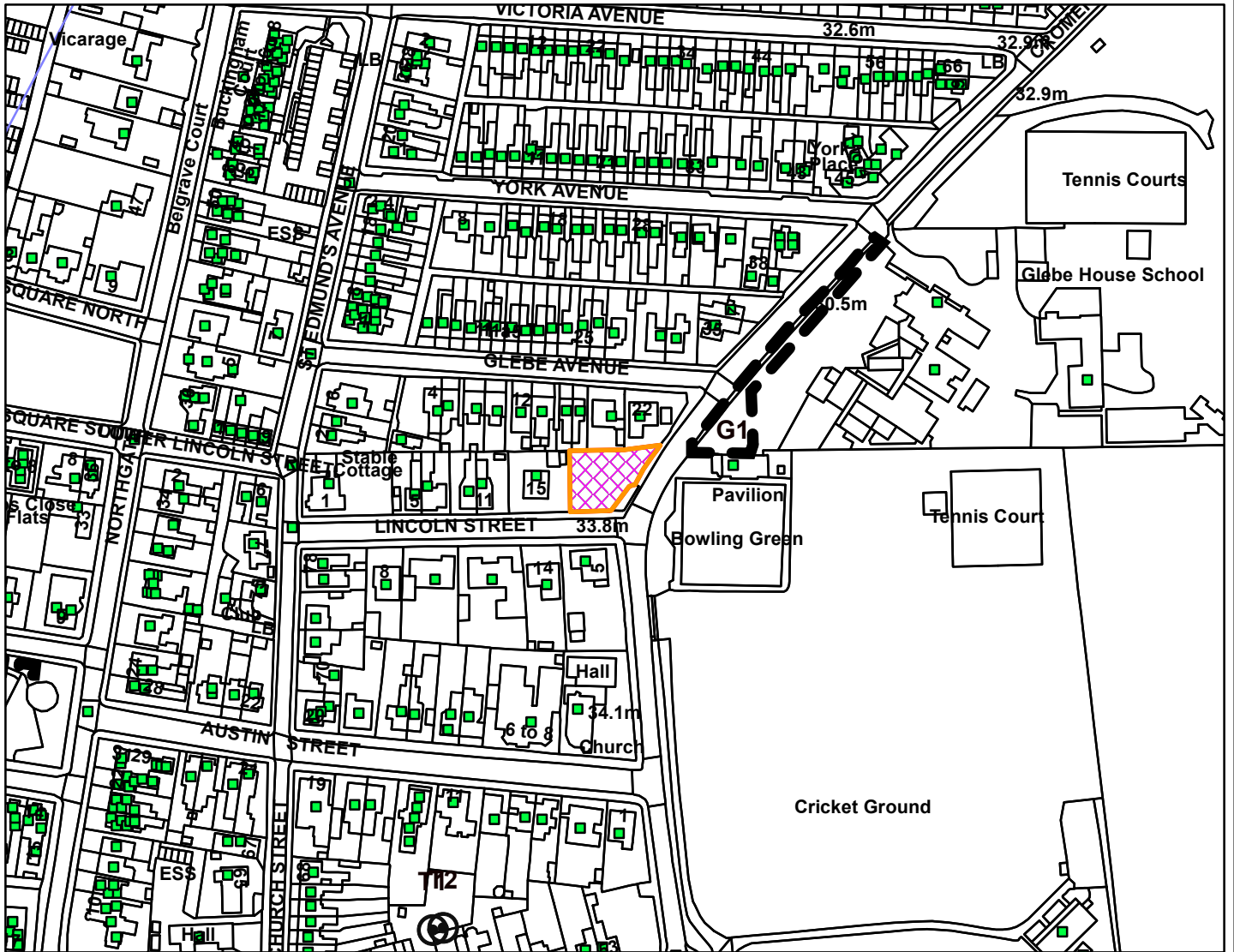
- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved drawings and documents:
- 1086.05: Plans as Proposed
 - 1086.06: Ecological Mitigation and Enhancement Plan
 - Tree Protection Plan by Plandescil Consulting Engineers: Job No. 27141
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the commencement of the use hereby permitted, the vehicular access shall be upgraded with a permeable surface (other than loose gravel) for the first 5 metres as measured back from the near channel edge of the adjacent carriageway/constructed in accordance with details to be agreed in writing by the Local Planning Authority. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 3 Reason: To ensure construction of a satisfactory access and to avoid carriage of extraneous material or surface water from or onto the highway in the interests of highway safety and traffic movement, in accordance with Policies CS08 and CS11 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023), in particular section 9.
- 4 Condition: Prior to the first occupation of the development hereby permitted, the visibility splay shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway by lowering of walls.
- 4 Reason: In the interests of highway safety, in accordance with Policies CS08 and CS11 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023), in particular section 9.
- 5 Condition: Prior to the first occupation of the development hereby permitted the proposed access/on-site car parking/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 5 Reason: To ensure the permanent availability of the parking/maneuvering areas, in the interests of satisfactory development and highway safety, in accordance with Policies CS08 and CS11 of the Core Strategy (2011); Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023), in particular section 9.
- 6 Condition: Prior to the commencement of the development hereby permitted all Tree Protection Measures shall be implemented in strict accordance with the approved Tree Protection Plan Drawing No. 27141/901A and Method Statement at part 5 dated February 2024 by plandescil.
- 6 Reason: To avoid damage to existing trees on and adjacent to the site, in accordance with Policy CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the provisions of the NPPF.

- 7 Condition: No trees other than the tree shown to be removed on the approved Tree Protection Plan and detailed in the Method Statement by S Case dated June 2023, shall be felled without the prior written agreement of the Local Planning Authority.
- 7 Reason: In the interests of the amenities of the locality, in accordance with Policy CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the provisions of the NPPF.
- 8 Condition: No development shall take place on any external surface of the development hereby permitted until details of the type, colour and texture of all materials to be used for the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 8 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS06, CS08 and CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general principles of the NPPF.
- 9 Condition: No development shall commence on any external surface of the development until a sample panel of the materials to be used for the external surfaces of the building(s) and/or extension(s) hereby permitted has been erected on the site for the inspection and written approval of the Local Planning Authority. The sample panel shall measure at least 1 metre x 1 metre using the proposed materials, mortar type, bond and pointing technique. The development shall be constructed in accordance with the approved details.
- 9 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS06, CS08 and CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general principles of the NPPF.
- 10 Condition: Prior to their installation, full details of the doors and windows, including the rooflights, within the development hereby approved shall be submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 drawings, showing joinery details, cross-sections and the opening arrangements. The development shall be implemented and retained in accordance with the approved details.
- 10 Reason: In order to protect the character and appearance of the Conservation Area in accordance with Policies CS08 and CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general principles of the NPPF.
- 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 at the site and in order to further investigate the issue raised by the Parish Council in regard to an unknown underground watercourse, in accordance with Policy CS08 of the Core Strategy (2011) and the general principles of the NPPF.

- 12 Condition: Prior to the first occupation of the development hereby approved, all proposed Ecological Enhancement Measures shall be installed in accordance with the approved Ecology Plan: 1086.06 and maintained thereafter as such. The enhancements shall include a minimum of the following measures: -
- A bat shelter
 - A swift nesting box
 - A small bird nest box
 - A bee brick
 - Pollinator friendly planting
 - Hedgehog holes within boundary fencing
- 12 Reason: In the interests of Biodiversity Net Gain, in accordance with Policy CS12 of the Core Strategy (2011) and section 15 of the NPPF.
- 13 Condition: Prior to first occupation/use of the development hereby permitted, a plan shall be submitted to and approved in writing by the Local Planning Authority indicating the positions, heights, design, materials and type of boundary treatment to be erected. The boundary treatment shall be completed before the occupation/use hereby permitted is commenced or before the building(s) are occupied or in accordance with a timetable to be approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 13 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.



15 Lincoln Street, Hunstanton, PE36 6AS



Legend

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Scale: 1:2,500

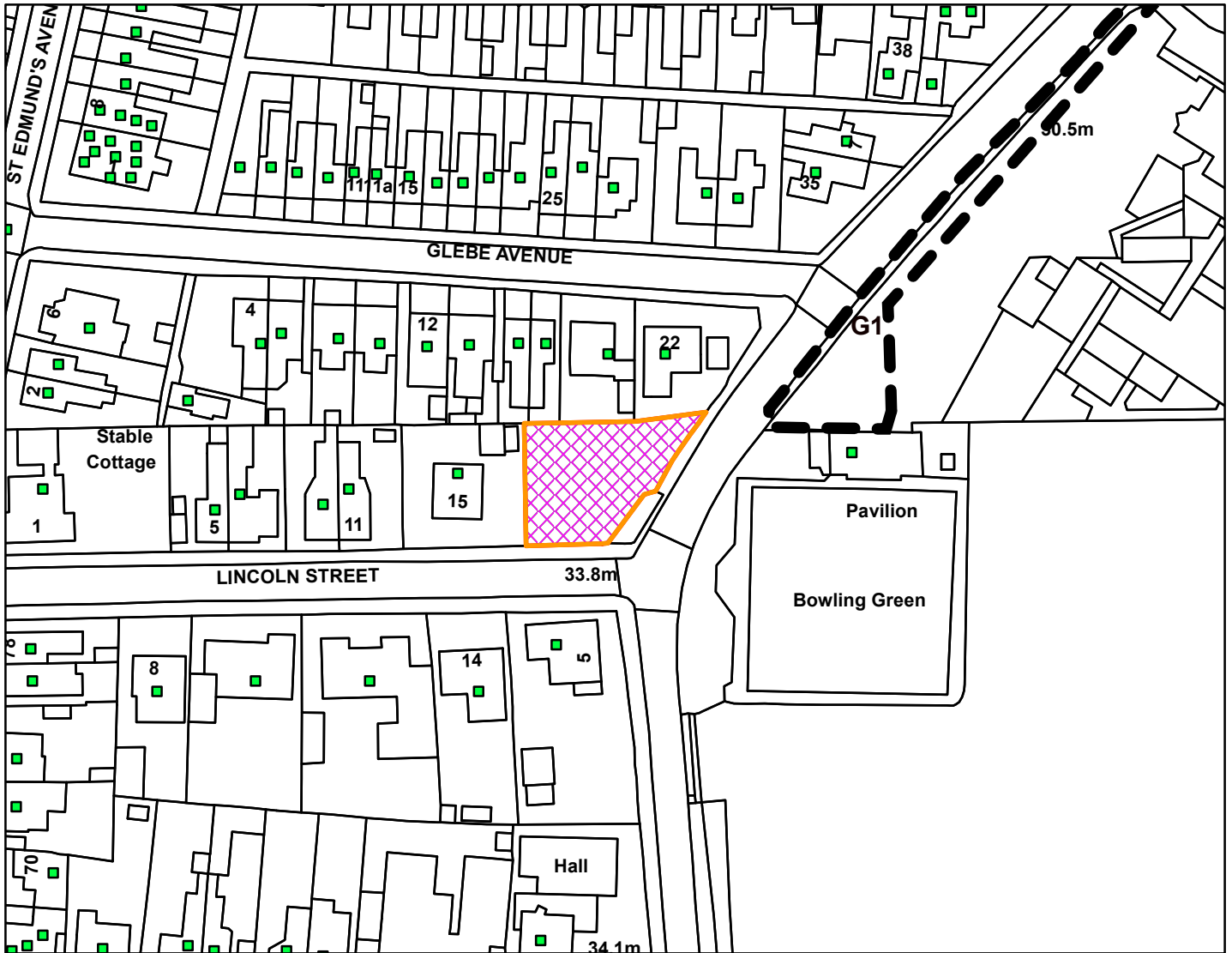
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314



15 Lincoln Street, Hunstanton, PE36 6AS



Legend

Scale: 1:1,250

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314

Parish:	Hunstanton	
Proposal:	New Residential Dwelling on land East of 15 Lincoln Street, Hunstanton	
Location:	15 Lincoln Street Hunstanton Norfolk PE36 6AS	
Applicant:	S Curtis	
Case No:	23/02276/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 28 February 2024 Extension of Time Expiry Date: 11 October 2024

Reason for Referral to Planning Committee – This application was considered at 08/05 Sifting Panel, and it was resolved that the application could be determined as a delegated refusal, which was the proposal at that time. However, due to amendments being received the officer’s recommendation is now to approve based on the amended plans, and the application is therefore required to be determined at planning committee.

Neighbourhood Plan: No

Case Summary

The application proposes the subdivision of the existing plot to the east of the main dwelling (Number 15) and the construction of a new dwelling. The application has been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north, the form and design of the building as well as the impact on trees to the south/western boundary. The final proposed development consists of a 1.5 and single storey dwelling, associated parking area and access onto Lincoln Street. The site is located within the Conservation Area.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application site consists of an existing detached dwelling set within a large plot characterised by mature trees and the large hedge to the southern and eastern boundary. This plot is located on the prominent corner of Lincoln Street and Cromer Road (A149) in central Hunstanton. The site is therefore residential in character with neighbouring dwellings to the north and west of the site. This location lies within the Hunstanton Conservation Area.

The application proposes the subdivision of the existing residential curtilage to the east of the main dwelling (Number 15) and the construction of a new dwelling with associated parking area and a new vehicular and pedestrian access from Lincoln Street. The resultant plot would be slightly larger but comparable in size to the host dwelling. The proposed dwelling would consist of a 1.5 storey element to the west, with a front gable and rear hipped roof. The eastern projection would be single storey again with a hipped roof. Whilst constrained with the limited form of the proposed dwelling, the design style seeks to be somewhat reflective of the host dwelling with materials including black roof tiles, render and red brick.

The application has been amended over time to seek to address concerns regarding the impact on neighbour amenity to the north, the form and design of the building as well as the impact on trees to the southern boundary.

This application follows a previous application on this site for a new dwelling that was refused at Planning Committee at the recommendation of officers due to impact on the northern neighbours under application: 23/00348/F.

SUPPORTING CASE

Reference is made to the submitted Drawings 674-01 Rev E, 674-400 Rev A and 674-300 Rev B.

Reference is also made to our previous planning application Ref. 23/00348/F.

This second planning application to build a property on the land adjacent to our house addresses the concerns raised by Councillors during their consideration of our previous application (Ref. 23/00348/F) when it was discussed at the Planning Committee meetings held on 2 October 2023 and reconvened meeting on 5 October 2023 following a site visit. The Councillors' concerns at that time related to the height of the proposed property, difference in land levels and proximity to our northern neighbour's boundary.

We have over the last four months worked closely with Hannah Wood-Handy and Connor Smalls at the LPA and, through submitting several iterations of the property design, we have made significant changes to the design and provided additional information as requested by Hannah – in order to address ALL of the Local Planning Authority's specific concerns – to the point that the LPA are now recommending support for our planning application. These numerous design changes and the additional information requested included:

- reducing the ground level by 1100mm – significantly lowering the bungalow on the site. This means the East wall and the South wall near the trees will be a retaining wall with the building set into the ground.
- reducing the bungalow's mass in terms of visual impact and footprint through:
- reducing the upper roof by 300mm both at the eaves and the ridge

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- reducing the length of the single storey element by 900mm from the East end
- reducing the width of the single storey element by 225mm from the North end
- as a result reducing the lower roof by 100mm
- Laying a 1200mm path at the new ground floor level along the North wall with steps up to the ground level to the north boundary which would remain as existing. The northern boundary would have a new 1800mm fence running along the entire length, positioned on 15 Lincoln Street side of the boundary.
- Reducing the South wall where the main entrance is to the new lowered ground floor level and then grade up/slope up to the East end of the bungalow.
- Moving the bungalow 400mm North to address the Arboricultural Officer's concerns regarding the RPA of the 3x Silver Birch trees.
- Indicating surface water drainage points on the lowered areas around the bungalow and retaining walls on the updated site plan – Drawing ref. 674-01 Rev E.
- Preparing a street scene drawing (Ref 674-400 Rev A) showing the current varying land level moving West to East along Lincoln Street.
- A visual comparison can be made from this drawing between the current land level and the lowered land level where the bungalow would sit. The lowered element is material.
- This drawing also highlights the significant difference in ridge level heights between the bungalow and its northern neighbours.
- The upper roof ridge height of the bungalow is now 1050mm lower than that of our northern neighbours at No.20 Glebe Avenue (typical reduced height chalet bungalow) and 2780mm lower than that of No.22 Glebe Avenue (typical height chalet bungalow).
- Retaining the new access to the bungalow in the same position as the previous submission. It is to be noted that the electricity pole and stay are shown on the drawing 674-01 Rev E and do not conflict with the proposed access.

We hope that the Councillors will acknowledge our significant efforts to address their previous concerns and approve our application as recommended by the LPA.

PLANNING HISTORY

23/00228/TREECA: Tree Application - No objection: 18/12/23 - 1x Silver Birch tree in row of 4x Silver Birch trees. Specific tree circled red on attached tree location plan.

Fell in conjunction with amended plans. End tree of row. Weakest specimen. Replant nearby with suitable species.

23/00302/F: Application Permitted: 03/05/23 - Proposed Garage, Workshop and Alterations

23/00348/F: Application Refused: 05/10/23 - New residential dwelling on land East of 15 Lincoln Street, Hunstanton

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22/00215/TREECA: Tree Application - No objection: 23/11/22 - T1 Tamerisk, T2 Laburnum, T3 Pyracantha, T4 pear, T5 apple, T6 apple, T7 pear, T8 apple, T9 spruce, H1 Leylandii, H2 Privet
Fell all. All in poor condition, or problematic location.

21/02309/F: Application Withdrawn: 07/04/22 - Residential development of 2 dwellings on land north of Lincoln Street, Hunstanton

RESPONSE TO CONSULTATION

Town Council: NO OBJECTION: The Town Council have supported each submission within this application and full comments are available online. Latest response: There has been a number of submissions of this application for a new dwelling, we have taken into consideration all of the comments made previously, however we feel that the changes proposed have addressed all the previous objections and for these reasons the Town Council continue to support the application, it is in line with current council thinking, moving forward we do feel that it fits into our Neighbourhood Plan.

Highways Authority: NO OBJECTION: Latest: NCC Highways now raise no objection. Conditions are recommended that would be attached to any approval regarding the parking and turning area, specification of the access, control of permitted development in relation to bollards/chains or any other obstruction as well as an informative regarding works within a public highway.

Conservation Officer: NO OBJECTION: Latest comment: We have no objections to the proposals. Please consider conditions relating to; Details of all external materials Extractor vents and flues Joinery details. These conditions are recommended for any approval, other than in regard to vents and flues etc as this is not considered necessary based on the proposed development.

Historic Environment Service: NO COMMENTS.

Environmental Quality: NO OBJECTION: The applicant has provided a screening assessment stating no known contamination. We have reviewed our files and the site is seen at the beginning of our records with a reservoir on site. Historic maps dated 1891-1912 shows a round structure on a site later labelled as a water tower. The surrounding landscape is largely residential. The information submitted does not indicate the presence of significant land contamination. However, the previous water tower and reservoir on site means that it's possible that some unexpected contamination could be present. A condition regarding unexpected contamination is requested and recommended for any approval.

Arboricultural Officer: NO OBJECTION: Latest comment: Having reviewed the latest layout proposed on drawing ref number 674.01E, my comments remain the same. Moving the new building forwards in the plot leaves very little room for development work, typically a minimum of 2 metres working space is required between tree protective fencing and external walls, not allowing for space for the installation of foundations and drainage. Because the design has not been fully informed by Arboricultural information, the design has not allowed for this, the indicative tree protective fencing shown does not provide enough space to physically build the property. Therefore, it is essential that a detailed pre-commencement tree protection condition is attached. A condition is requested and recommended for any approval stating that no work or other operations development shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method Statements

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and a Tree Protection Plan or Plans (section 5.5, BS 5837:2012) has been agreed in writing with the Local Planning Authority.

REPRESENTATIONS

Councillor correspondence

Councillor Dickinson originally called this application in, this was subsequently withdrawn on the basis of refusal of the application.

Following the latest amended plans, the call-in has now been completely withdrawn based on following comment:

“Just for the sake of clarity and to avoid any confusion would you please take this email as instruction to withdraw my request to call in this application? The reason for my call in had been because I had planned to be out of the country early in the year and at the time the application had been somewhat controversial, but I have noted that the applicant has now addressed all of the concerns expressed through a series of amendments to the plans and I see no reason for the matter to proceed to Planning Committee, at least not from my perspective.”

Third Party Comments (summarised for clarity)

Final amended plans:

TWO public OBJECTIONS:

- It is reiterated that the amendments have not overcome issues already raised.

Comments on previous amendments:

FOUR Public OBJECTIONS and ONE NEUTRAL comment:

- Comments from the previous refusal remain relevant.
- The revised location of the proposed building has been moved closer towards neighbouring property, resulting in overshadowing of the property and garden, intruding on privacy, depriving rights of light.
- Noise from another dwelling being in existence as opposed to a garden will be negatively impactful.
- A second level means an increased finished height. Considering the ground levels being at least 1 metre higher than neighbouring properties, and the height increase, this will be overbearing.
- This proposal plans for the kitchen, utility room, en-suite, bin storage and parking bays all to face neighbouring rear gardens to north. Stench and fumes will be very unpleasant and detrimental to neighbours wellbeing, and enjoyment of gardens which have been here since 1890's.
- The build appears to be much larger than the original 15 Lincoln Street property already standing on this plot.
- The proposal would be incredibly imposing, and completely out of keeping in design with the surroundings, and therefore unacceptable in this Conservation Area.
- Reiterated concerns regarding ground disturbance for the Victorian water/sewerage systems and pipework, which may run under the site. Understanding is that they are the original built pipe runs, therefore over 125 years old, and potentially fragile.

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- Hunstanton Town Council encourages smaller, more affordable builds, perhaps positively skewed towards first homes/retirement homes. This large, detached build appears to be neither.
- Hunstanton Town Council have launched the Biodiversity Policy (March 2024), which recognises the vital importance of green space for not only our futures, but those of wildlife and plants. The policy sets out to protect habitats, and where developments are proposed, the net biodiversity gain or loss - loss of trees and hedges on site which provide a wildlife corridor.
- Overbearing and overshadowing to northern neighbouring dwelling.
- No intention to lower the site for this build.
- Error in previous land use on submitted Screening Assessment Form for contamination. The form itself states that it is not suitable for larger housing developments, or if there has been a past industrial use on or adjacent to the land. The Hunstanton water tower and reservoir stood on these grounds therefore “Domestic, Agricultural, Commercial” is inaccurate.
- The completed form states that there has been no history of pollution which is incorrect.
- Photographic evidence of the water tower and its works, and position of 16 and 18 Glebe Avenue shows the extent of the water tower and site, plus evidence of the open ground behind 16 Glebe Avenue since original construction. The raised ground of what is suspected to be a reservoir on what is now the garden of 15 Lincoln Street – notes the disparity of land levels between application site and neighbouring rear gardens.
- Have the correct risk assessments have been carried out, considering the previous land use, the direction the sewers run under the proposed development site and the frequent sewerage odours experienced in the area, and the flood pollution that has been known to have happened.
- The proposed development is too much. The existing house has a good-sized garden. If this application is permitted it will create a precedent.
- Applicants may not live at this address forever and someone could buy the potential plot and cause noise pollution to the area.

Comments on original submission

FOUR Public OBJECTIONS

- Accepted that this application attempts to lessen the negative impact to neighbouring property.
- Concerns about proposal’s proximity to neighbouring boundary and any plans there may be for any future development on the site.
- Reference to Hunstanton Town Council Biodiversity Policy which underscores the council's commitment to preserving and enhancing green space throughout the community. It seeks to ensure planning applications benefit biodiversity by conservation and integration of existing and creation of new habitats.
- The Conservation Team BCKLWN has said this corner garden represents an important piece of open space which greatly contributes to a sense of openness in a densely built-up environment.
- The number of new properties, approximately 700 built or in process of being built, in Hunstanton is a lot - do we really need another one?
- Loss of another mature tree.
- Located within a conservation area. The removal of the decades old hedgrow that borders rear garden will be severely detrimental to many forms of wildlife, bats, birds, small mammals etc, which does not comply with Hunstanton Town Neighbourhood Plan.

- Noise and Pollution - the extra parking spaces created to accommodate this proposed property will mean further noise and fumes from vehicles using those facilities, negatively impacting neighbours garden.
- The noise created from another home being in existence so close to neighbouring property will be negatively impact wellbeing.
- Any property in that location takes away the "dark sky" amenity.
- *Concerns about the existing waterways and sewerage systems etc, which are Victorian, and may well be disturbed and damaged by any excavation or ground disturbance.
- Neighbourhood Plan: This proposed development does not fit and does not conform with the desires of the residents "To shape and control the future planning decisions and thus development of the town in conformity with the expressed desires of the residents."

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS05 – Hunstanton

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NEIGHBOURHOOD PLAN POLICIES

Policy J1 – Fundamentals

Policy J2 - Natural Environment

Policy K1 - Size and Mix of Houses - Housing Need

Policy K2 - Design, Style and Materials

Policy K4 - Parking Provision

Policy K5 - Off Road Parking

Policy L3 - Mobile Phone and Broadband Provision

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

PLANNING CONSIDERATIONS

The main considerations are:

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

Principle of Development:

The site lies within the development boundary of Hunstanton as defined within the Site Allocations and Development Management Policies Plan 2016. Hunstanton is a main town which can support significant growth of residential development. Policy CS05 - Hunstanton of the Core Strategy 2011 seeks to retain and strengthen the role of Hunstanton as a main town in the Borough. Part of this policy seeks to promote opportunities for residential development within the town centre. Policy – K1 Size and Mix of Houses – Housing need of the Hunstanton Neighbourhood plan states that “the development of a range of property sizes and tenures suitable to meet local housing need will be supported.”

As such, in accordance with DM2 – Development Boundaries of the Site Allocations and Development Management Policies Plan 2016, subject to other material considerations and compliance with other policies within the development plan, the principle of development is acceptable.

Form and Character:

The original submission as part of this application consisted of a fully single storey bungalow with the footprint across a large area of the site. Parking was to the western side of the dwelling with a turning area to the front. The main part of the dwelling was set approx. 4m from the rear northern boundary somewhat central within the site with a wing extending north east further towards the northern boundary. Materials included black tiles, render to the walls with a red brick plinth at the base of several courses.

However, this proposal was considered, due to the large footprint and form, to be overdevelopment - appearing cramped within the plot. Concerns were also raised in regard to impact to the northern neighbouring properties and the levels differences on site and the surrounding area as well as impact on the trees to the front of the plot.

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The Conservation Team specifically objected noting that the application site lies on a corner plot within the Conservation Area of Hunstanton. The plot contributes to the significance of the Conservation Area through being part of the large garden associated with number 15 Lincoln Street.

It was considered that the site now represents an important piece of open space within a densely built-up environment with the trees and hedgerows surrounding the site as well as the lack of development within it, contributing to a sense of openness. It also provides an appropriate setting for the late Edwardian villa which is adjacent to it. However, the Conservation Officer states that as historic maps clearly show development on the site, a new dwelling could be accommodated within the grain of development for the area.

Notwithstanding this, the first iteration of the proposed dwelling on this site was not considered acceptable. Creating a single storey dwelling which takes up a large area of the plot of an uninspiring design which draws no inspiration from any good qualities of the architecture which surrounds it, were considered the main issues. It was noted that the Conservation Team have no objection to a dwelling on this site, and a modern architectural style could be accommodated, however the design needs to be appropriate for this plot within the Conservation Area. In addition, while it is appreciated that other bungalows are present in the locality, they are not a common building type in what is, according to historic mapping a 19th century extension to Hunstanton.

Therefore, an amended scheme was put forward. This scheme reduced the footprint of the dwelling, introduced a north-south orientated 1.5 storey element to the west and introduced hipped roof elements to both the single storey side projection and 1.5 storey element to reflect the host dwelling. This retained the same parking arrangement with some hard landscaping to the front and rear of the dwelling. This also moved the dwelling approximately 4.2m from the rear boundary (north). The Conservation Team removed their objection based on this iteration of the plans and noted that the scheme would not be harmful to the character of the Conservation Area as now presented. However, balanced concerns were made in regards to neighbour impact as discussed below. In addition, the Arboricultural Officer raised concerns over the placement of the dwelling and the proximity to the three retained mature trees to the south/eastern boundary.

As such, a final amended scheme has come forward to address these outstanding concerns. The final scheme is similar in form to the previous proposal with the same access point from Lincoln Street and gravel parking and turning area to the western side and southern front of the dwelling. Materials also still include black tiles, render to walls and red brick to the base. However, conditions are recommended by the Conservation Officer and would be attached to any approval in regard to material details, joinery and vents and flues to ensure a suitable visual finish.

The dwelling would include a south facing gable to the 1.5 storey element with a large first floor window, large glazed window and doors at ground floor and recessed front door with a timber post to the corner. To the west would be one roof light and one ground floor window. The rear roof would be hipped to the western 1.5 storey element with a roof light and ground floor window below. The lower single storey projection to the east would be hipped. To the rear, one window and door is proposed with a blank eastern elevation and two windows to the front elevation of the single storey element. The dwelling has now also been sunk into the ground to reduce the impact to the north as well as slightly reduced in form as discussed in detail below in combination with now being proposed to be 4.025m from the rear boundary. This has shifted the footprint of the dwelling away from the retained trees and their root protection areas to the front of the dwelling.

Both the Conservation Officer and Arboricultural Officer raise no objection. A pre-commencement tree protection condition is recommended for any approval to ensure that these important trees within the street scene and Conservation Area are suitably protected and retained. In addition, it has been demonstrated on plans that the building itself, surface and foul water arrangements and level changes including retaining walls would not encroach on the Root Protection Areas (RPA) of the Silver Birch trees and indicative protective fence locations have been shown.

It is now considered that the design and form of the dwelling is reflective of the locality and host dwelling and is of an in keeping and acceptable design that also responds to the constraints of the site in terms of trees and neighbour impact. The plots of both the host dwelling and proposed new dwelling would be appropriate to the scale of dwellings and context of the locality with ample amenity space to each. As such, the proposal would have an acceptable relationship to the form and character of the street scene and wider locality considering the prominent corner location and position within the Conservation Area. The retention of the three mature silver birch trees and boundary hedge aids in screening the development as well as preserving the attractive verdant character of this part of Lincoln Street and the corner location at the junction. The development would therefore cause no visual harm to the Conservation Area, preserving its character and appearance.

It is important to note that, in terms of trees on site, permission has already been granted for the removal of various vegetation across the site including the rear leylandii hedge and one of the 4 birch trees to the south/east of the site. However, the beech hedge around the extent of the garden boundary and the remaining three silver birch trees standing in a line behind the boundary hedge are shown to be retained. In addition, a landscaping scheme is proposed via condition on any approval.

Overall, it is considered that the proposal is, in terms of form and character and impact on the Conservation Area, acceptable and in accordance with Policies CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policies J1, and K2 of the Neighbourhood Plan and the NPPF and National Design Guide.

Impact on Neighbour Amenity:

In terms of neighbour impact considerations on this site, the previous application that was refused (for a new detached 1.5 storey dwelling orientated with east to west gables in proximity to the northern boundary) was refused for the following reason:

“The proposed development of a new dwelling, by virtue of its size, scale and proximity to the boundary with the northern neighbouring properties, would have an unacceptably overbearing impact to the detriment of the neighbour’s amenity and enjoyment of their private garden space. The development would also present an unacceptable overshadowing impact to the rear neighbour’s garden space to the north and to the rear habitable rooms of No. 20 Glebe Avenue, the neighbouring dwelling directly to the rear of the proposal. This would be contrary to Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocation and Development Management Policies Plan 2016, Policy J1 and Policy K2 of the Hunstanton Neighbourhood Plan as well as the National Planning Policy Framework”.

This reason for refusal forms the starting point for this application and represents what the proposed scheme within this application seeks to overcome.

As outlined above, the original single storey bungalow dwelling was considered unacceptable based on form and character, but concerns were also raised due to the

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relationship to the north including the proximity and bulk of the built form adjacent to the boundary.

The amended scheme was considered to partially address the many concerns. As outlined above this included a reduced footprint of the dwelling, introducing a north-south orientated 1.5 storey element to the west and introduced hipped roof elements to both a single storey side projection to the east and the rear of the 1.5 storey element to reflect the host dwelling and reduce the built form adjacent to the north boundary. This also moved the dwelling approximately 4.2m from the rear boundary (north). However, there was still concern over the impact to the rear neighbouring property in terms of overbearing and an unneighbourly impact taking into account the raised levels of the application site compared to the rear neighbours. Issues did not now however relate to overshadowing or design.

A final proposal has now been submitted. The ground level of the dwelling has now been reduced by approx. 1.1m from the garden level to the east which lowers the overall height of the dwelling within the plot compared to neighbouring plots. To the east and south of the dwelling, serving the main entrance, near the trees, would be a retaining wall as well as to the north with the dwelling set into the ground. Levels to the garden beyond this would slope up to the east of the dwelling.

In addition, the roof of the 1.5 storey element has been reduced by approx. 0.3m at both the eaves and the ridge. Approx. 0.9m has been removed from the length of the single storey element to the east end and approx. 0.225m has been removed from the width of the single storey element from the north. The roof of the single storey element has also been reduced by approx. 0.1m as a result.

To address issued raised by the Arboricultural Officer, the building has been moved approx. 0.4m to the north (with a set-back from the northern boundary of approx. 4.025m). To the north (rear) of the dwelling there would a path at approx. 1.2m in width along the rear of the dwelling at the same level with steps up to the garden level to the north and west of the site which would remain as existing. The northern boundary would have a new 1.8m fence along the entire length, on the application site side of the boundary which would not itself require planning permission as it would be considered permitted development below 2m.

Supporting street scene drawings have been prepared showing the current varying land level west to east along Lincoln Street which demonstrates a visual comparison between the current land level and the lowered land level where the dwelling would sit. A further street scene drawing highlights the difference in ridge level heights between the proposal and the northern neighbours. Plans demonstrate that the roof ridge height of the 1.5 storey element is now approx. 1.05m lower than the rear neighbour (No.20 Glebe Avenue).

Taking a proportionate view, it is now considered that the proposed dwelling would have an acceptable impact on the amenity of neighbouring dwellings.

In terms of the host dwelling, the proposal is well separated (over 6m to the boundary and then further to the dwelling itself) noting the east of the host dwelling serves as access and parking as well as the proposed dwelling being sunk into the ground and limited height at 1.5 storey to the west (approx. 6.1m in height to the ridge and 3.3m to the eaves). In addition, there is one ground floor window serving the stair case area and one roof light above again serving the stairs. This does not give rise to any unacceptable impacts in terms of overlooking.

To the south, the dwelling would be mostly screened by the existing boundary hedge and the mature silver birch trees. The neighbouring dwelling would be opposite the site across

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Lincoln Street with no unacceptable impacts. To the east the dwelling would be set away from the boundary with the A149 beyond.

To the north, the dwelling is now proposed to be set approx. 4.025m from the rear boundary. In addition, according to levels on plan, the change in levels adjacent to the northern boundary to the lowered level of the proposed dwelling would be approx. 0.86m. This is considered in combination with the single storey element to the east as well as the 1.5 storey element to the west with the rear hipped roof not extending over half of the rear boundary of the north neighbour (number 20). This substantially reduces impact to this neighbouring property and limits the overbearing presence of the dwelling on this boundary despite the dwelling being adjacent to the rear boundary of the neighbour. Considering the reduced height and levels as well as the separation in addition to the further separation to the neighbouring dwelling from the boundary is important. In addition, an approx. 1.8m fence would be installed on this boundary on the application site side which would provide an element of screening and would be permitted development, not requiring planning permission.

The proposal would have two rear windows and one door to the northern elevation at ground floor. These would be partially screened due to the dropped levels and retaining wall as outlined. In addition, there would be further screening due to the proposed 1.8m close board fence to the boundary to the north. At first floor, there would be one rear facing roof light serving the en-suite. This would be conditioned to be obscure glazed.

Based on the above assessment, it is therefore considered that the proposed development would have an acceptable impact on neighbour amenity and would be in accordance with policies CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy J1 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.

Highway Safety:

NCC Highways originally raised concerns over the siting of entrance gates, sought confirmation that parking spaces measure 2.5m x 5m, and that plans demonstrate the provision of an EV charging point.

Plans have been updated to remove entrance gates, demonstrate that spaces are the required size and added the provision of an EV charging point. Therefore, it is considered that these issues have been adequately addressed.

Parking consists of 2 spaces which is in accordance with parking standards for a three-bedroom dwelling. In addition, the parking area will be gravel and therefore permeable and would be partially screened by existing mature hedges from Lincoln Street. This would accord with Policies K4 and K5 of the Hunstanton Neighbourhood Plan as well as DM17 of the Site Allocations and Development Management Policies Plan 2016.

NCC Highways now raise no objection. Conditions are recommended that would be attached to any approval regarding the parking and turning area, specification of the access, control of permitted development in relation to bollards/chains or any other obstruction as well as an informative regarding works within a public highway.

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

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Flood Risk and Drainage:

The application site is located within Flood Zone 1, the area with lowest risk of flooding. In addition, mapping shows that the site is not at risk of surface water flooding.

The amended site plan demonstrates both surface water drainage to a soakaway as well as connections to the mains for foul drainage.

Biodiversity Net Gain:

This application was submitted prior to Biodiversity Net Gain becoming mandatory for small sites in April 2024 and is therefore exempt.

Neighbourhood Plan Policy J2 - Natural Environment does however require a net gain – the amount is not specified, and it is therefore considered that this requirement can be included in a landscaping plan condition which should demonstrate a measurable net gain.

Removal of Permitted Development Rights:

Permitted development rights regarding the enlargement, improvement or other alteration to the dwelling house and additions to the roof of a dwellinghouse as well as buildings incidental to the enjoyment of a dwellinghouse are removed via condition so that the Local Planning Authority may retain control of development in the interests of neighbour amenity impacts and the visual amenities of the locality and Conservation Area.

Third Party Objections:

Issues relating to the principle of the development (including the neighbourhood plan), biodiversity, form and character including impact on the Conservation Area and impact on neighbour amenity have been addressed within the above report. In terms of right to light, this is a civil matter outside of the scope of this report, overshadowing and impact on amenity have however been considered as outlined above. It is not considered that any noise or associated domestic impacts as a result of a new residential dwelling would create amenity issues over and above the existing residential use of the site. Excessive noise or nuisance such as smells or pests would be outside of the scope of this planning application and may be a statutory nuisance covered by separate legislation.

In terms of the sewerage system in the area, plans show that the dwelling would be connected to the mains and for this scale of development, no further information is considered necessary. In addition, Anglian Water mapping does not show any sewer directly under the proposed location of the dwelling.

Contamination on the site has been considered and the Environmental Quality Team have raised no objection based on information submitted as well as their own assessment based on the previous water tower/reservoir etc on site. A condition has been requested and would be attached to any approval in regard to any unexpected contamination found during construction.

In terms of dark skies, as the dwelling is located on an existing residential street within the built-up area of Hunstanton, it is not considered that the proposal would have a harmful impact in this regard.

CONCLUSION:

Overall, it is considered that the proposed development of a new dwelling, in its final amended form, would have an acceptable visual impact. Materials would mirror the host dwelling and, with mature silver birch trees and boundary hedging retained, the street scene impact would be acceptable as would the wider impact on the Conservation Area.

In addition, it is also considered that the proposal has, now amended, overcome concerns regarding the impact to the north neighbouring property based on the reduced levels and height of the dwelling in combination with the separation and form of the proposed dwelling. All other considerations are considered acceptable as outlined in the above report.

The development would therefore be in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 and DM17 of the Site Allocation and Development Management Policies Plan 2016 as well as Policy J1, J2, K1, K2, K4 and K5 of the Hunstanton Neighbourhood Plan and the National Planning Policy Framework and National Design Guide.

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:
 - PROPOSED FLOOR PLANS ELEVATIONS SITE AND LOCATION PLAN, Drawing Number: 674-01 Rev: E
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to the first occupation of the development hereby permitted, full details of both hard and soft landscape works shall have been submitted to and approved in writing by the Local Planning Authority. These details shall include finished levels or contours, hard surface materials, refuse or other storage units, street furniture, structures and other minor artefacts. Soft landscape works shall include planting plans, written specifications (including cultivation and other operations associated with plant and grass establishment) schedules of plants noting species, plant sizes and proposed numbers and densities where appropriate. In accordance with Policy J2 Natural Environment of the Hunstanton Neighbourhood Plan this should clearly demonstrate a measurable net gain for biodiversity on site compared to the predevelopment site conditions.

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.

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- 3 Reason: To ensure that the development is properly landscaped in the interests of the visual amenities of the locality and provides a net gain for biodiversity in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy as well as Policy J1, J2 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.
- 4 Condition: No work or other operations development shall take place on site until a scheme for the protection of the retained trees including Arboricultural Method Statements and a Tree Protection Plan or Plans (section 5.5, BS 5837:2012) has been agreed in writing with the Local Planning Authority.

This scheme shall include:

- a, Site layout plans to a scale and level of accuracy appropriate to the proposal that shows the position, crown spread and root protection area (section 4.6 of BS5837:2012) of every retained tree on site, superimposed on the layout plan. The positions of all trees to be removed shall be indicated on this plan.
- b, the details and positions (shown on the plan at paragraph (a) above) of the Tree Protection Barriers, (section 6.2 of BS5837:2012), to form a construction exclusion zone, and the type and extent of ground protection (section 6.2.3 of BS5837:2012) or any other physical tree protection measures, such as tree boxes. These details are to be identified separately where required for different phases of construction work (e.g. groundwork, construction, hard landscaping). Barrier and ground protection offsets must be dimensioned from existing fixed points on the site to enable accurate setting out. The position of barriers and any ground protection should be shown as a polygon representing the actual alignment of the protection.
- c, the details and positions (shown on the plan at paragraph (a) above) of the underground service runs (section 7.7 of BS5837:2012). the details of the working methods to be employed with regard to site logistics including, the proposed access and delivery of materials to the site; space for storing materials spoil and fuel, and the mixing of cement; contractor car parking; site huts, temporary latrines (including their drainage), and any other temporary structures.
- d, the arboricultural method statement/s (BS5837:2012 part 6.1) shall include details for the installation of any temporary ground protection, excavations, or other method for the installation of any hard structures or underground services within the minimum root protection areas of any retained tree.

The Tree Protection Barriers and ground protection must be erected prior to each construction phase commencing and remain in place, and undamaged for the duration of that phase. No works shall take place on the next phase until the Tree Protection Barriers are repositioned for that phase. All tree protection works shall be carried out in complete accordance with the approved details.

- 4 Reason: To ensure the existing trees within the Hunstanton Conservation Area are suitably protected throughout the construction phases of the development hereby approved in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016, Policy as well as Policy J1, J2 and K2 of the Hunstanton Neighbourhood Plan and the NPPF.

- 5 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment must be undertaken in accordance with current best practice, and where remediation is necessary a remediation scheme must be prepared, which is subject to the approval in writing of the Local Planning Authority. Following completion of measures in the approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.
- 5 Reason: In the interests of protecting the environment and the future occupants of the development in accordance with Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 the NPPF.
6. Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 6 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy K2 of the Hunstanton Neighbourhood Plan.
- 7 Condition: No development over or above foundations shall take place on site until 1:20 drawings of all windows and doors have been submitted to and approved in writing by the Local Planning Authority. The plans shall include joinery details, cross sections and the opening arrangements as well as window style, reveal, cill and header treatment. The development shall be implemented in accordance with the approved details.
- 7 Reason: To ensure a satisfactory external appearance in accordance with the principles of the NPPF, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and Policy K2 of the Hunstanton Neighbourhood Plan.
- 8 Condition: Prior to the first occupation of the development hereby permitted the vehicular/pedestrian/cyclist access/crossing over the footway shall be constructed in accordance with the highways specification (TRAD 1) and thereafter retained at the position shown on the approved plan. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 8 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 in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 9 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.

- 9 Reason: In the interests of highway safety in accordance with Policy CS11 of the Core Strategy 2011 and 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 in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 11 Condition: Before the first occupation of the building hereby permitted the roof light at first floor to the northern rear roof slope shall be fitted with obscured glazing and any part of the roof light that is less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The roof light shall be permanently retained in that condition thereafter.
- 11 Reason: To protect the residential amenities of the occupiers of nearby property in accordance with Policy CS08 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Polices Plan 2016 as well as Policies J1 and K2 of the Neighbourhood Plan and the NPPF.
- 12 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C and E of the Town and Country Planning (General Permitted Development) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration to the dwelling house, additions to the roof of the dwellinghouse and buildings incidental to the enjoyment of the dwellinghouse shall not be allowed without the granting of specific planning permission.
- 12 Reason: To protect the residential amenities of the occupiers of nearby property as well as the visual amenities of the locality and Conservation Area in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Polices Plan 2016 as well as Policies J1 and K2 of the Neighbourhood Plan and the NPPF.



Guanock Fields, William Street, King's Lynn PE30 5QW



Legend

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Scale: 1:2,500

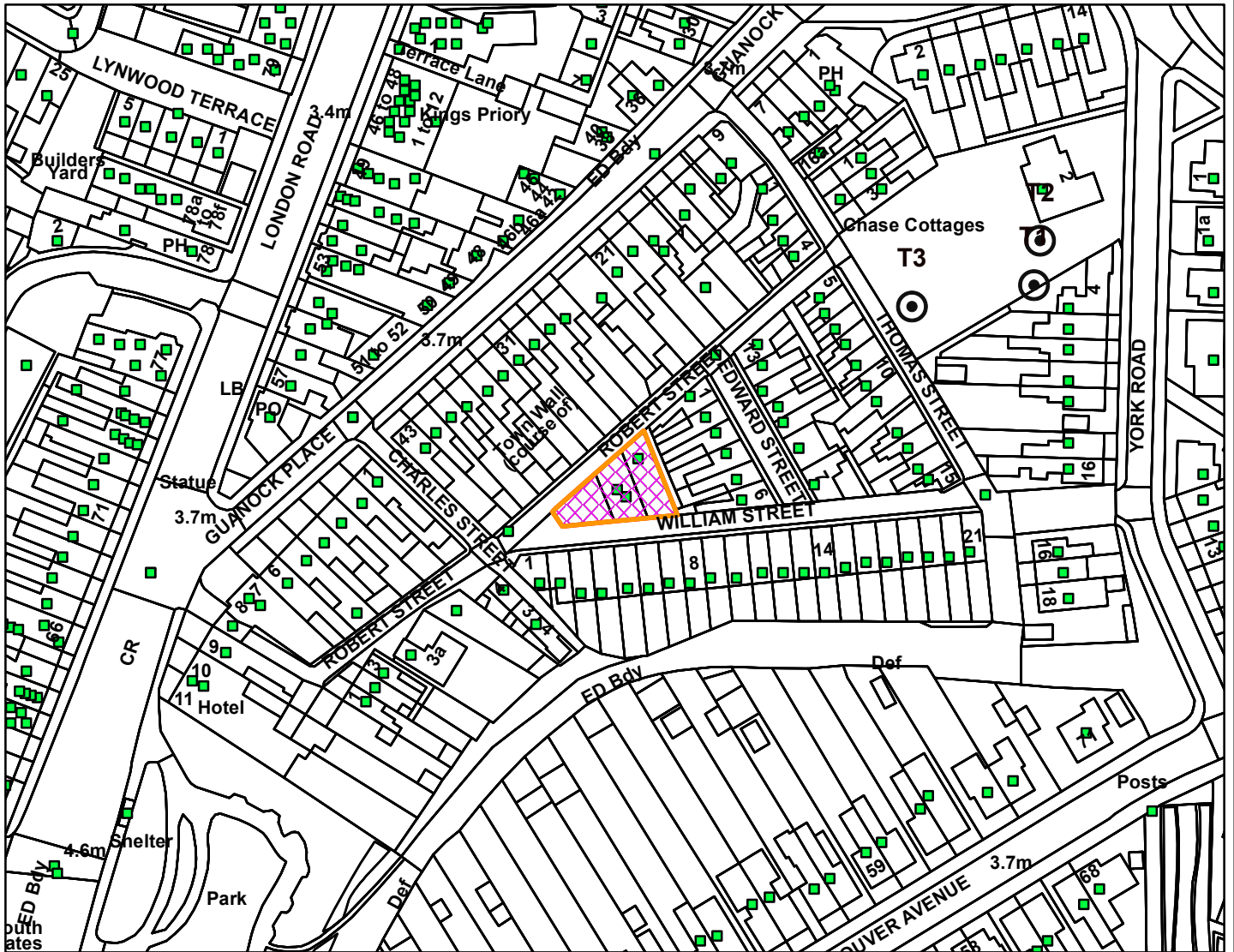
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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314



Guanock Fields, William Street, King's Lynn PE30 5QW



Legend

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Scale: 1:1,250

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	23/09/2024
MSA Number	0100024314

Parish:	King's Lynn	
Proposal:	Change of use from light industrial/store to two Dwellings.	
Location:	Guanock Fields William Street King's Lynn Norfolk PE30 5QW	
Applicant:	MNP Developments Ltd	
Case No:	24/00892/F (Full Application)	
Case Officer:	Mrs Jade Calton	Date for Determination: 9 July 2024 Extension of Time Expiry Date: 11 October 2024

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

Neighbourhood Plan: No

Case Summary

The application site is located within Guanock Fields, a mostly residential area with two and three storey, terrace dwellings neighbouring the site. The plot is currently host to a two storey, traditional style building with a pitched roof. The building was last used for industrial purposes and is accessed via William Street with parking located to the west.

The site is located within the King's Lynn Town Centre and Conservation Area.

Full planning permission is sought for the conversion of the building to two residential dwellings.

Key Issues

- Principle of Development
- Form and Character / Heritage Assets
- Neighbour Amenity
- Highway Safety
- Flood Risk
- Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site is located within Guanock Fields, a mostly residential area with two and three storey, terrace dwellings neighbouring the site. The plot is currently host to a two storey, traditional style building with a pitched roof. The building was last used for industrial purposes and is accessed via William Street with parking located to the west.

The site is located within the King's Lynn Town Centre and Conservation Area and the building is considered to be a Non-Designated Heritage Asset.

The application site forms a triangular shape plot located at the junctions of William Street, Robert Street, Charles Street and Edward Street. The immediate area is characterised by short narrow roads with rows of closely related Victorian / Georgian terraces which front hard-onto the public highway. The density and pattern of development in this location is intimate and compact.

Full planning permission is sought for the conversion of the building to two residential dwellings, both units comprising two bedrooms.

The existing site access is proposed to be utilised with parking and private amenity areas to the site's frontage (west).

SUPPORTING CASE

The application is accompanied by a Supporting Statement, which offers the following case:

'The existing property is classed as light industrial previously used as a workshop and store in the designated conservation of King's Lynn. The building is a two storey traditional style property with pitched roof which has been extended to the west unsympathetically with a shallow pitched lean-to addition serving as garaging and store. The site lies in a predominantly residential area and the main building to be retained and converted sits on the north, east and south boundaries of the site with hardstanding to the west providing parking and vehicular access for the current use.

The proposed scheme involves converting the existing main two storey building into two residential dwellings comprising two bedroom units with open plan ground floor living. The lean-to addition will be removed to provide external amenity space. The existing parking area will be modified to provide access, parking spaces and private amenity areas.

The scheme is designed to utilise the existing structural openings with new sash windows. The existing southern door opening will be retained and infilled with a window to the upper sections and boarded panelling below. The openings in the eastern elevation will remain boarded openings to retain the original appearance and avoid any overlooking of the Edward Street terrace amenity areas. Materials will be traditional to retain the heritage appearance.

With regards to the concerns of overlooking, these have been assessed and the first-floor layout designed to provide bedroom windows facing west over the properties own amenity spaces and highway with only obscure glazed bathroom windows facing north & south. The property could be retained as it current use with all first floor windows reinstated without any restriction.

Vehicle access to the parking areas will be direct of the adjoining county highway roads to the west which is lightly trafficked. Generally the site is in close proximity to the main town

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centre and most public amenity and services are within walking distance including various modes of public transport. Access and parking arrangements have been discussed with NCC Highways and their preference at PREAPP stage was to retain the existing access point and agreed the parking arrangement and have no objection to the proposal as submitted.

The proposed scheme to change the use and convert the existing industrial building which is currently surrounded by residential properties to two dwellings will utilise the building for a more suited use appropriate to the area and surroundings. The vehicles associated with the dwellings will also be preferable to the surrounding restricted highway network. The conversion to residential units will be in keeping with the surroundings and is likely to prolong the buildings lifetime and enhance the appearance of the area.

It is therefore respectfully requested that Members grant planning permission subject to conditions in accordance with the Officer recommendation'.

PLANNING HISTORY

23/01081/F: Application Withdrawn: 10/11/23 - Change of use to conversion to two dwellings.- 27 Guanock Fields, William Street, King's Lynn

22/00146/PREAPP: PreApp -Possible Approval with Amendment: 03/01/23- PRE-APPLICATION ADVICE WITH CONSULTATIONS AND NO MEETING: Conversion/ Change of use of Industrial building to two residential units with amenity space and parking - Guanock Fields

RESPONSE TO CONSULTATION

Parish Council: N/A – King's Lynn is unparished.

Conservation Team: NO OBJECTION subject to conditions relating to details of materials, windows and doors.

Highways Authority: NO OBJECTION subject to conditions relating to access and on site parking.

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

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions in relation to land contamination and the removal of asbestos.

Environment Agency: NO OBJECTION subject to conditions relating to flood mitigation and resilient measures.

Emergency Planner: NO OBJECTION subject to standing advice / conditions relating to flood mitigation measures.

King's Lynn Civic Society: These buildings, which appear to be well preserved tradesman's workshops, date from at least the 1880s but are possibly older. We think the original Victorian owners would be amused that 150 years later they are now being sought after as potential domestic accommodation!

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They lie within the Friars Conservation Area and we would ask that specified doors, windows and rainwater goods are not uPVC. We should aim to protect and enhance distinctive structures like these buildings by using appropriate materials wherever possible.

REPRESENTATIONS

EIGHT letters of **OBJECTION** received from Third Party's raising the following concerns: -

- Negative impact on residents of William Street, Guannock Terrace, Robert Street and Edward Street.
- Not enough space.
- Access inadequate width and impractical.
- Additional traffic.
- Tight corners.
- On-street parking issues.
- Lack of parking.
- Vehicles would be at risk of damage during construction.
- Disruption to residents by bringing industrial vehicles / equipment to the site.
- Impact on locality from construction work.
- Noise
- Affect sleeping patterns and working from home.
- Obstructing access.
- Local properties bought and rented out to undesirable people.
- Anti-social behaviour.
- Overlooking
- Invasion of privacy
- Perception of feeling unsafe.
- The existing building has been there for more than 36 years.
- The existing building has character.
- It acts as a protective barrier from overlooking.
- Impact of building work on local resident's health
- Small compact houses
- Roosting bats within the building.
- Magnificent trees, roses and other wild plants growing up the building.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 – Transport

CS12 - Environmental Assets

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CS10 - The Economy

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

Policy E1.1 – King’s Lynn Town Centre

NATIONAL GUIDANCE

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

OTHER GUIDANCE

Conservation Area Character Statement.

PLANNING CONSIDERATIONS

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

Principle of Development
Form and Character / Heritage Assets
Neighbour Amenity
Highway Safety
Flood Risk
Other Material Considerations

Principle of Development:

Policy DM2 of the SADMPP 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 site in question is located within the settlement boundary of Kings Lynn which is identified as a sub-regional centre of the Borough, providing an important service and retail function.

Core Strategy Policy CS03 and SADMPP Policy E1.1 supports the overall development strategy for King’s Lynn, including the provision of new housing development as part of the regeneration of the town centre.

In terms of the loss of the existing employment use of the site, Core Strategy Policy CS10 (The Economy) seeks to retain land or premises currently or last used for employment purposes, unless it can be demonstrated that:

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- continued use of the site for employment purposes is no longer viable, taking into account the site's characteristics, quality of buildings, and existing or potential market demand; or
- use of the site for employment purposes gives rise to unacceptable environmental or accessibility problems particularly for sustainable modes of transport; or
- an alternative use or mix of uses offers greater potential benefits to the community in meeting local business and employment needs, or in delivering the Council's regeneration agenda.

Whilst it is acknowledged that the proposed development would result in the loss of employment land, this is weighed against the fact that the existing site is considered to be a non-designated heritage asset.

Paragraph 209 of the NPPF (2023) states that effect of an application on the significance of a non-designated heritage asset should be taken into account in determining the application. In weighing 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.

In this instance greater weight is afforded to the preservation of the non-designated heritage asset above the use of the premises itself. The proposed change of use ensures the continued viable use of the building and conservation of the non-designated heritage asset, which in turn would offer the long-term preservation and enhancement of the Conservation Area, in accordance with paragraph 208 of the NPPF.

As such, the loss of employment land for the purposes of residential use in this location is considered to be acceptable on balance. The proposed change of use would therefore accord with Core Strategy Policies CS02, CS03, CS08 and CS10; SADMPP Policies DM2 and E1.1; and section 7 of the NPPF.

Form and Character / Heritage Assets:

The site comprises a triangular shaped parcel of land where the existing building forms the rear (north-east) boundary with parking to the frontage. The site is neighboured by residential dwellings on all three sides, including Robert Street to the north-west, Edward Street to the north-east and William Street to the south. The area is characterised by two and three storey terrace properties, constructed from red brick, painted brick and render and are of a traditional appearance.

The proposed site layout includes the provision of allocated parking and amenity space with bin stores to the front of the property, the size of which is commensurate to the form and character of the locality.

The existing property is identified as a non-designated heritage asset within the Kings Lynn Conservation Area and is shown on the first OS Map (1879 1886). This area of the town has several industrial/warehouse type buildings of a similar age and appearance which have successfully been converted to residential use.

Apart from the ground floor lean to extension (the proposed removal of which would also improve the appearance of the building and the area), the building retains its strong character and identity.

The few external alterations proposed include:-

- Infilling the existing openings at ground floor level with boarding and sash windows, following the removal of the lean-to to the front (south-west) elevation;
- New sash windows to the existing openings to the first floor front elevation;
- Reinstate first floor window to the side (south) elevation;
- Infill door and retain false door at ground floor to the south side elevation; and
- Introduction of five new conservation style rooflights to the rear (north-east) roofslope.
- The existing boarded infill windows to the rear (east) elevation will be retained as such.

The proposed scheme has been designed to retain the industrial character, which is sympathetic in terms of scale and appearance and as such preserves the significance of the non-designated heritage asset and enhances the character and appearance of the Conservation Area.

Furthermore, by bringing the building back into a viable use not only provides a public benefit of much needed local housing, but also ensures the sustainability of the development and the ability to preserve and enhance the significance of the Conservation Area, in accordance with paragraphs 203 and 209 of the NPPF.

The Conservation Team therefore support this application, subject to the imposition of conditions requesting details of materials and windows and doors.

It is considered that the proposed development accords with Development Plan Policies CS08, CS12 and DM15; and the provisions of the NPPF, in particular sections 12 and 16.

Impact on Neighbour Amenity:

The area is characterised by a dense form of development given its location within the Town Centre and its historic built form and street pattern. It is therefore not uncommon in such locations for residential properties to be closely related and a level of overlooking and overshadowing is experienced between dwellings.

Whilst there is potential for some overlooking from the proposed conversion, in particular from the first-floor bedroom windows to the front (south-west) elevation, this is the current situation experienced within the immediate locality and as such this would not be sufficient to warrant refusal of the application.

There is some separation between the building and the neighbouring properties by way of the public highway; Robert Street and William Street. Furthermore, the angle of outlook from the proposed bedroom windows would be acute in some cases and in other cases where the outlook would be more direct there would be better separation distances involved.

Furthermore, the fallback position is that the existing building already allows for overlooking from those first-floor windows from the unrestricted business use which the site currently benefits from.

Overshadowing and overbearing impact is not an issue in this case given the fact that the building is existing and there are no proposed changes to its scale or footprint.

It is considered that the proposed development accords with Development Plan policies CS08 and DM15; and the general provisions of the NPPF, namely section 12.

Highway Safety:

The application has sort to retain the existing access arrangement which raises no highway safety concern. Taking into account the nature of vehicular movements associated with the use class that the site presently benefits from, and balancing that with the number of vehicular movements associated with a residential use of the scale proposed, it is not likely to create an unacceptable impact on highway safety, and the residual cumulative impacts on the road network would not be severe to warrant refusal of the application, in accordance with paragraph 115 of the NPPF.

Third Party concerns have been raised regarding traffic, parking and highway safety involving the narrow and contrived nature of the local road network. These concerns are noted; however, the Local Highway Authority have raised no objection in regard to these points. Adequate on-site parking provision is proposed and therefore the development should not give rise to local parking issues. Furthermore, as explained above, the creation of two dwellings, of the scale proposed, compared to the existing industrial nature of the site, which could be brought back into use at any time, would not cause a material impact on the highway safety of the locality and thus would not warrant refusal of the application.

It is considered therefore that the proposed development accords with Core Strategy Policies CS08 and CS11; SADMPP Policies DM15 and DM17 and section 9 of the NPPF.

Flood Risk:

The site is located within Food Zone 3 and as such a site specific Flood Risk Assessment supports the application. The sequential Test is not required for changes of use development.

The FRA states that the Environment Agency's Tidal Hazard Mapping Model has been used in conjunction with the ground level which gives an estimated flood level of +4.8m OD, and a flood depth of 1.2m.

Any increase in impermeable area associated with the development will be minimal so there is no potential that flood risk will be increased elsewhere.

The recommended mitigation against the remote risk of flooding has considered the maximum height to which floor levels can be raised. The development utilises an existing building and therefore floor raising is constrained by the building's height.

In order to mitigate against the risk of a breach, it is proposed that:

- the finished floor level of the dwellings is at +3.9m OD, 0.3m above existing ground level;
- there is 0.6m of flood resistant construction above finished floor level; and
- there is 0.9m of flood resilient construction above finished floor level.

The risk of flooding is lowered as the proposed dwellings will have 2 storeys with all sleeping accommodation and safe refuge at first floor level.

There will be a requirement for all residents to sign up to the Environment Agency 'Direct Line Flood Warning Service'.

The Council's Emergency Planner raises no objection to the proposed change of use and supports the mitigation measures proposed as well as requesting the preparation of an evacuation plan. This will be attached to the decision notice as an informative.

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The Environment Agency also raises no objection to the proposed residential development.

On the basis of the above, it is considered that the proposed development accords with Core Strategy Policy CS08; SADMPP Policy DM21; and the provisions of the NPPF and NPPG.

Other Material Considerations:

Ecology:

Given the age of the existing building and the features within it, it was necessary for the application to be supported by a Bat Roost Assessment.

The report Confirmed roosting potential due to the presence of a single brown long eared bat occasionally roosting on the site. The remaining building has moderate potential for roosting bats. Common pipistrelle and soprano pipistrelle were noted around the property. The majority of the activity around the property was from common pipistrelle commuting passes.

As such the applicant will need to apply for a bat mitigation class licence. However, this can be done post planning consent.

To further mitigate the loss of the existing bat interest at the property to ensure favourable conservation status, the bat report recommends the following measures are proposed as part of the development-

- Installation of a single bat box as mitigation for the loss of the brown long-eared roost and two bat boxes as enhancement;
- Works to occur between September to October and March to April to avoid potential hibernating bats;
- Limitations in night-time lighting;
- Provision of landscape around the new property to attract insects that bats can feed on.

This will be secured through condition.

Although the above recommended mitigation will offer some biodiversity enhancements at the site, the application is exempt from BNG as the development is de minimis (development below the threshold). The reason for the de minimis exemption is due to the fact that the site as existing is entirely covered by hardstanding and buildings.

The application will result an increase in overnight accommodation which triggers GIRAMS. A Shadow Habitats Regulations Assessment has been submitted in support of the application and the GIRAMS fee has been paid to compensate for any impact.

Contamination:

The application is supported by a Ground Investigation Report. The report does not provide a desk study to look into the history of the site but conducts a ground investigation using 2 hand augered boreholes to examine the soil on site in the proposed garden areas. The site is currently surfaced with concrete which was cored before the hand augered boreholes where dug to 1.10m and 1.25m to respectively showing made ground to 0.8 and 1.0 meters in depth respectively.

The chemical testing of the soil samples against criteria for residential and homegrown produce use showed an exceedance of Lead and Benzo[a]pyrene at HA1. The report states

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that due to the geology of the site and thin layer of made ground the risk from ground gasses is low.

The report recommends that the made ground encountered is not suitable for reuse on site. Within front garden or amenity areas made ground that was encountered from 0.45-0.5m depth should be completely removed and replaced by the equivalent thickness of certified 'clean' topsoil. The report indicated in private rear garden areas this should be increased to 1.0m.

The information provided gives an indication into site conditions and measures that could address the contamination encountered on site, however more information is needed to consider it a remediation scheme.

The Ground Investigation of the site purely determines the nature and chemical properties of the contaminated soils and assess any contamination present. It does not consider the site history or previous uses of the site to base the testing on, although the soil analysis covered a range of general contaminants, failure to consider the site history could lead to potential contamination being overlooked.

Further information is required by way of a pre-commencement condition requiring site characterisation and an appropriate remediation scheme.

Due to the age of the property on site there is the potential for asbestos containing materials to be present. With this in mind, an informative would be attached to the decision notice.

Drainage:

The proposed conversion will make use of the existing drainage system, including disposing of foul and surface water by way of connection to the main sewer.

Third Party Representations:

All Third Party concerns have been taken into consideration in making a recommendation for the this application, most of which have been addressed above in this report.

In terms of the impact on residents from noise and disturbance during the construction works, the concerns are noted, however this issue would be temporary and given the relatively small scale and nature of the development it is not likely to cause disamenity for the lifetime of the development and as such would not warrant refusal of the application.

Crime and Disorder:

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

CONCLUSION:

Section 38(6) of the Planning and Compulsory Purchase Act 2004 requires that planning applications are to be determined in accordance with the Development Plan unless other material considerations indicate otherwise.

The application site lies within King's Lynn Town Centre, a sustainable location, where residential development is acceptable in principle, and in fact encouraged through the Development Plan and NPPF.

The existing building is considered to be a Non-Designated Heritage Asset and makes an important contribution to the character of this part of King's Lynn's Conservation Area. However, whilst the proposal will result in the loss of an employment use, the building has been vacant for some time and is starting to decline but the proposed residential development will bring this asset back into a viable use enabling its long-term preservation, which in turn will enhance the character and appearance of the Conservation Area. The Conservation Team are therefore in support of the proposed development.

In terms of neighbour amenity, there is likely to be some impact from overlooking due to the historic pattern and layout of development in the area. This intimate relationship between dwellings is already well established and not unusual in such Town Centre locations. However, due to angles of outlook from windows from within the proposed development and separation distances involved, it is not considered that the proposal would amount to undue impact to the detriment of the neighbouring residents living conditions that would warrant refusal of the application. Furthermore, weighing in the planning balance is the fact that the site would already cause a level of overlooking (when occupied) from the unrestricted business use.

The proposed development would utilise the existing site access and provide adequate on-site parking, which would alleviate the risk of further on-street parking issues within immediate vicinity. The creation of two additional, small dwellings in this location is not considered to cause a material impact on the local highway network. The Local Highway Authority raises no highway safety concerns.

Flood Risk at the site is proposed to be mitigated by raising finished floor levels, incorporation of flood resilient measures, evacuation procedures and no ground floor sleeping accommodation.

Ecology and the impact on the existing bat roosts is also proposed to be mitigated and compensated for. The development requires a bat license which will further control any potential harm or impact.

Overall, it is considered that the proposed conversion to residential use is acceptable and accords with Core Strategy Policies CS01, CS02, CS03, CS08, CS09, CS10, CS11 and CS12; SADMPP Policies DM1, DM2, DM15, DM17 and E1.1; and the principles of the NPPF.

RECOMMENDATION:

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

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

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- 1042/22 – 12: Proposed Floor Plan & Site Plan
- 1042/22 – 13: Proposed Elevations
- 1042/22 – 14: Proposed Site Plan / Block Plan

- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 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.
- 3 Reason: In the interests of highway safety in accordance with Policies CS08 and CS11 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023), in particular section 9.
- 4 Condition: Prior to the first occupation of the development hereby permitted the proposed access / on-site car parking area shall be laid out in accordance with the approved plan and retained thereafter available for that specific use.
- 4 Reason: To ensure the permanent availability of the parking/maneuvering areas, in the interests of satisfactory development and highway safety, in accordance with Policies CS08 and CS11 of the Core Strategy (2011); Policies DM15 and DM17 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF (2023), in particular section 9.
- 5 Condition: Prior to the commencement of groundworks, an investigation and risk assessment, in addition to any assessment provided with the planning application, must be completed in accordance with a scheme to assess the nature and extent of any contamination on the site, whether or not it originates on the site. The contents of the scheme are subject to the approval in writing of the Local Planning Authority. The investigation and risk assessment must be undertaken by competent persons and a written report of the findings must be produced. The written report is subject to the approval in writing of the Local Planning Authority. The report of the findings must include:
- (i) a survey of the extent, scale and nature of contamination;
 - (ii) an assessment of the potential risks to:
 - human health,
 - property (existing or proposed) including buildings, crops, livestock, pets,
 - woodland and service lines and pipes,
 - adjoining land,
 - groundwaters and surface waters,
 - ecological systems,
 - archaeological sites and ancient monuments;
 - (iii) an appraisal of remedial options, and proposal of the preferred option(s).

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

- 5 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.

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

- 6 Condition: Prior to the commencement of groundworks, a detailed remediation scheme to bring the site to a condition suitable for the intended use by removing unacceptable risks to human health, buildings and other property and the natural and historical environment must be prepared, and is subject to the approval in writing of the Local Planning Authority. The scheme must include all works to be undertaken, proposed remediation objectives and remediation criteria, timetable of works and site management procedures. The scheme must ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of the land after remediation.

- 6 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.

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

- 7 Condition: The approved remediation scheme must be carried out in accordance with its terms prior to the commencement of groundworks, other than that required to carry out remediation, unless otherwise agreed in writing by the Local Planning Authority. The Local Planning Authority must be given two weeks written notification of commencement of the remediation scheme works.

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

- 7 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.

- 8 Condition: In the event that contamination is found at any time when carrying out the approved development that was not previously identified it must be reported in writing immediately to the Local Planning Authority. An investigation and risk assessment

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must be undertaken in accordance with the requirements of condition 5, and where remediation is necessary a remediation scheme must be prepared in accordance with the requirements of condition 6, which is subject to the approval in writing of the Local Planning Authority.

Following completion of measures identified in the approved remediation scheme a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority in accordance with condition 7.

- 8 Reason: To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, together with those to controlled waters, property and ecological systems, and to ensure that the development can be carried out safely without unacceptable risks to workers, neighbours and other offsite receptors, in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.
- 9 Condition: The development hereby approved shall be carried out in strict accordance with the Flood Risk Assessment (FRA) (by Ellingham Consulting, dated May 2023) and in particular the following flood mitigation measures: -
 - Finished floor levels will be set no lower than 300mm above existing ground levels.
 - Flood resistance measures will be incorporated up to 600mm above finished floor levels.
 - Flood resilience measures will be incorporated up to 900mm above finished floor levels.
 - There will be no ground floor sleeping accommodation
- 9 Reason: In order to protect life and property in the event of a flood, in accordance with Policy CS08 of the Core Strategy (2011); section 14 of the NPPF; and the NPPG.
- 10 Condition: No development shall take place on any external surface of the development hereby permitted until samples of the materials to be used in the construction of the external surfaces of the building(s) have been submitted to and approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.
- 10 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS08 and CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general principles of the NPPF.
- 11 Condition: No development over or above foundations shall take place until full details of all new and replacement windows and doors, including rooflights, has been submitted to and approved in writing by the Local Planning Authority. The details shall include 1:20 drawings of all new windows and doors, joinery details, cross-sections and the opening arrangements. The development shall be implemented and maintained in accordance with the approved details.
- 11 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with Policies CS08 and CS12 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general principles of the NPPF.

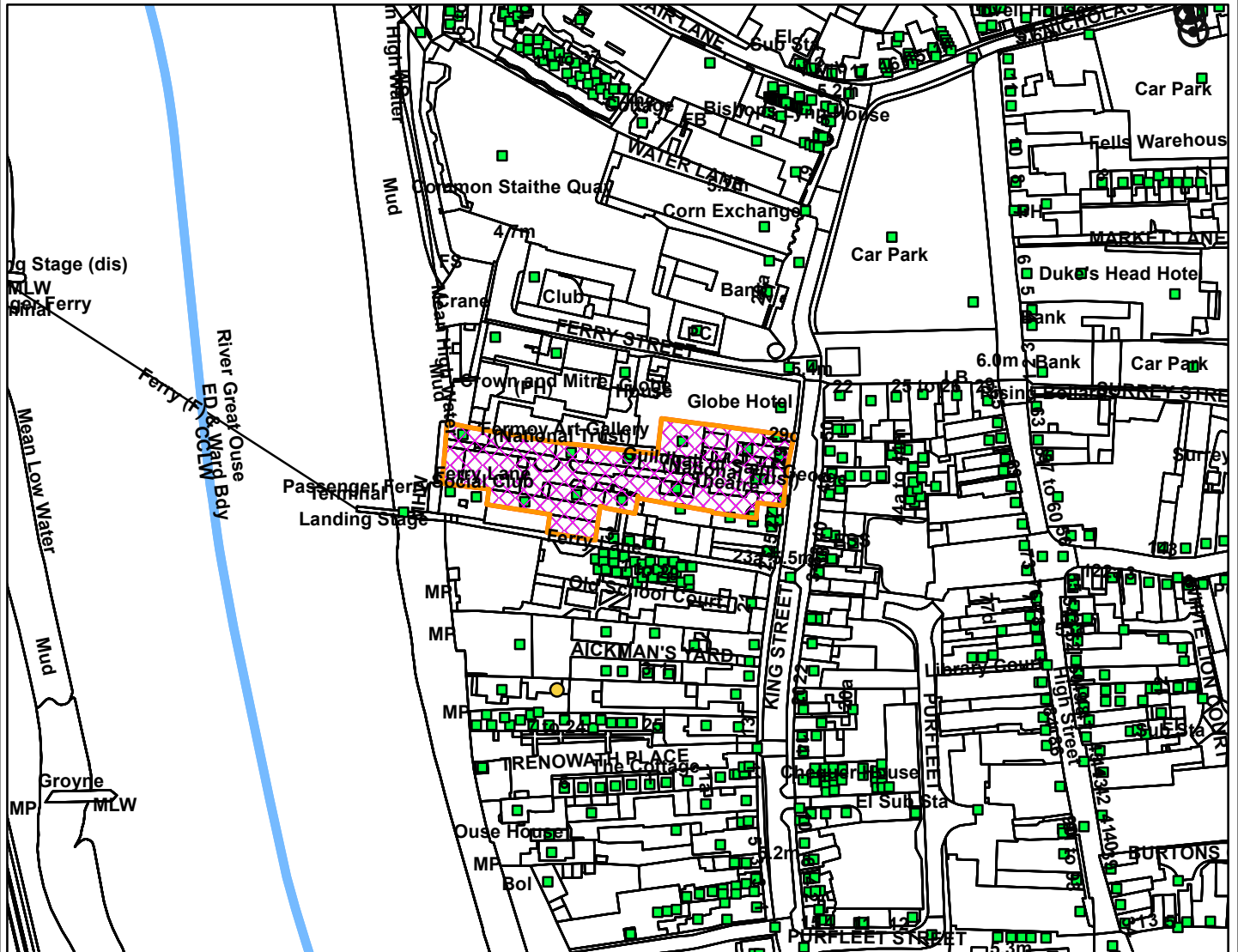
- 12 Condition: No development over or above foundations shall take place until full details of any new / replacement extractors, flues, soil and vent pipes and rainwater goods have been submitted to and approved in writing by the Local Planning Authority. The development shall be completed and maintained in accordance with the agreed details.
- 12 Reason: In the interests of the character and appearance of the Non-Designated Heritage Asset and the Conservation Area, in accordance with Development Plan Policies CS08, CS12 and DM15; and the provisions of the NPPF.
- 13 Condition: The development hereby approved shall be carried out in strict accordance with the mitigation / enhancement strategy set out within the submitted Preliminary Roost Assessment (2024 Update Final) prepared by Philip Parker Associates Ltd, and maintained thereafter in perpetuity.
- 13 Reason: In the interests of protected species and biodiversity within the site, in accordance with Policy CS12 of the Core Strategy (2011) and section 15 of the NPPF.
- 14 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Classes A, B, C and D of the Town and Country Planning (General Permitted Development) (England) Order 2015 (or any order revoking and re-enacting that Order with or without modification), the enlargement, improvement or other alteration of a dwelling house, the enlargement of a dwelling house consisting of an addition or alteration to its roof, or the erection or construction of a porch outside any external door of a dwelling house, shall not be allowed without the granting of specific planning permission.
- 14 Reason: In order that the Local Planning Authority may retain control of development which might be detrimental to the amenities of the locality if otherwise allowed by the mentioned Order, in accordance with Core Strategy Policy CS08; SADMPP Policy DM15 and the general principles of the NPPF.
- 15 Condition: Prior to the first use of the dwellings hereby approved, the first-floor bathroom window to the north elevation and the first-floor shower room window to the south elevation shall be obscurely glazed and retained thereafter as such.
- 15 Reason: In the interests of neighbour amenity, in accordance with Policy CS08 of the Core Strategy (2011); Policy DM15 of the Site Allocations and Development Management Policies Plan (2016); and the general provisions of the NPPF.

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Borough Council of
King's Lynn &
West Norfolk



Guildhall of St George, 1 St Georges Courtyard and 29 King Street, King's Lynn



Legend

Scale: 1:2,500

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Organisation	BCKLWN
Department	Department
Comments	Not Set
Date	25/09/2024
MSA Number	0100024314

AGENDA ITEM NO.9/2(e)

Parish:	King's Lynn	
Proposal:	Internal and external restoration and refurbishment works to existing buildings, including internal and external demolition, reconfiguration and rebuilding, minor extension(s), part change of use, associated plant and enclosures and hard and soft landscape works	
Location:	Guildhall of St George 1 St Georges Courtyard And 29 King Street King's Lynn PE30 1EU	
Applicant:	Borough Council of King's Lynn And West Norfolk	
Case No:	i. 24/01188/F (Full Application) ii. 24/01189/LB (Listed Building Application)	
Case Officers:	i. Lucy Smith ii. Lynette Fawkes	Date for Determination: 20 August 2024 Extension of Time Expiry Date: 11 October 2024

Reason for Referral to Planning Committee – The Application has been submitted on behalf of the Borough Council.

Neighbourhood Plan: No

Case Summary

This report covers both applications for full planning permission **AND** listed building consent.

The applications seek consent for internal and external restoration and refurbishment works to the Guildhall of St George & adjoining buildings, including 29 King Street. The scope of the works includes alterations and refurbishment of the Guildhall as well as the various existing historic warehouses and buildings to the rear of the space; including internal and external demolition, reconfiguration and rebuilding, the construction of a glazed foyer extension, changes of use to allow creative hubs and various performing spaces alongside and in addition to the existing uses, associated plant and enclosures and hard and soft landscape works.

Key Issues

- Principle of development
- Design & Impact on Heritage Assets
- Archaeology
- Impact on neighbour amenity
- Highway safety s1
- Ecology
- Biodiversity Net Gain
- Flood risk
- Other material considerations

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Recommendations

i) 24/01188/F

APPROVE - Subject to Conditions

ii) 24/01189/LB

APPROVE – Subject to Conditions

THE APPLICATION

This report covers both applications for full planning permission **and** listed building consent.

The applications seek consent for internal and external restoration and refurbishment works to the Guildhall of St George & adjoining buildings, including 29 King Street. The scope of the works includes the alterations and refurbishment of various existing historic warehouses and buildings to the rear of the space, internal and external demolition, reconfiguration and rebuilding, the construction of a glazed foyer extension, changes of use to allow creative hubs and various performing spaces alongside and in addition to the existing uses, associated plant and enclosures and hard and soft landscape works.

Planning Permission

The elements of this proposal which require planning permission relate to the external changes (Foyer and Link extensions, alterations, fenestration changes etc) as well as the changes of use of various outbuildings to alternative uses (creative hubs, flexible performance spaces etc).

Listed Building Consent

The elements of this proposal which require listed building consent externally include window alterations, the foyer extension, alterations to the roof, new openings and solar panels. Internally the works the require consent include galleried seating in the Guildhall, replacement flooring, restoration of historic features and alterations to the Guildhall and Number 29 King Street to facilitate disabled access.

The Site and Surroundings

The Guildhall of St George is a Grade I Listed Building and is the largest surviving medieval Guildhall in the UK, built as a Guildhall in 1406. To the rear of the Guildhall are other warehouses and barns which have historically been associated with the various uses, dating from as early as the 15th to mid-16th Century. However, the site has evolved with multiple additions and alterations across the history of the site. The warehouses and buildings to the rear of the Guildhall site are listed buildings independently.

Number 29 King Street adjoins the Guildhall to the north. Changes are proposed as part of this application that would link Number 29 King Street and the Guildhall buildings internally. 29 King Street (Shakespeare House) is Grade II Listed.

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The application site is within Kings Lynn Conservation Area & parts of the site are within Flood Zone 3.

Listed Buildings

The Guildhall of St George, King Street was Listed Grade I in 1953. Grade II Listed Buildings elsewhere which are part of this proposal include: North Warehouse Range (including the Riverside Restaurant, the Fermoy Gallery etc), the Red Barn, the Old Warehouse, White Barn, the White Barn Annexe, and 29 King Street. The Shakespeare Barn is an important unlisted building within the Conservation Area Character Statement.

For clarity, full copies of the Listing Details for each listed building directly affected by this proposal are attached as **Appendix 1**.

A Heritage Impact Assessment has been provided in support of this application which details the history of the site and the archaeological, architectural, and social significance of each of the buildings impacted as part of this proposal, as well as the significance of their use.

The Proposal

The proposed plans seek to restore the building and its surroundings to enhance the building's historic significance & provide long-term prospects for the main Guildhall Theatre space to continue as a working theatre. The Guildhall Theatre is noted within supporting documents as being the only room in the country to have a recorded history of hosting dramatic performances in each of the last six centuries and is the only working theatre left that can credibly claim to have hosted William Shakespeare.

The redevelopment of the site would cater for a variety of different theatre and performance uses alongside historic tours, galleries, events, workshops, and festivals. The refurbishment includes the use of the site as heritage visitor attraction, education resource and creative hub by day and as a theatre, and entertainment venue by night, both supported by food, beverage, and retail offerings.

The main elements of the proposal include:

- The redevelopment of the Guildhall Theatre, including removing the current raked floor to improve sight lines and the provision a lift for step free access following an extension and other works to No 29 King Street, as well as the creation of new openings to link the buildings.
- The construction of a foyer extension to the rear of the site and internal reconfigurations to provide an improved lobby area, cafe bar and various ancillary functions.
- The Shakespeare Barn would be redeveloped to provide various ancillary functions to the theatre – including kitchens for the new cafe/bar and dressing room facilities.
- The White Barn, the Old Warehouse and the White Barn Annexe would collectively be redeveloped to form flexible use space for exhibitions, workshops and performances as well as 15 individually leased 'Creative Hub' units for local creative businesses.
- The Riverside Restaurant would be updated, with new toilet facilities provided at basement level in a redeveloped undercroft.
- The outdoor courtyard areas would be landscaped, with the main courtyard used for occasional outdoor performances.

SUPPORTING CASE (submitted on behalf of Duncan Hall and Tim FitzHigham)

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'The St George's Guildhall site is a unique heritage asset with enormous potential to become a major visitor attraction and education resource, a landmark performance venue and a vibrant campus for culture, creativity, and local enterprise. The proposals that form part of this planning and listed building consent application are critical to the ongoing operation and viability of the St George's Guildhall site. This unique refurbishment opportunity to the much-adored site includes heritage visitor attraction, education resource and hub for local creative businesses by day, theatre and entertainment venue by night, both supported by food, beverage and retail offerings. This is a priority project for the Town Deal Board.

The submitted scheme has been subject to extensive engagement with statutory consultees and members of the public. We are pleased to see that Historic England (HE) recognises the benefit the application will bring and that they have confirmed to planning officers that HE "supports the applications on heritage grounds". We have also worked closely with the 20th century society to address their comments and are pleased to see that there are no objections from statutory consultees to the proposals.

The public consultation undertaken has been overwhelmingly positive, but we recognise that there have been a limited number of neighbour objections. Where concerns have been raised by neighbours, we consider that the matters raised can be addressed through planning conditions or that the concerns raised are not planning considerations. St George's Guildhall wants to continue to be a good neighbour, and we have agreed draft conditions with officers relating to a Construction Management Plan and an Operational Management Plan. These Management Plans will ensure measures are in place to protect residential amenity and to allow this ambitious project to progress.

In conclusion - the St George's Guildhall site provides a significant cultural and heritage asset and the proposed scheme will create a thriving and inviting creative campus that generates increased employment and revenue for King's Lynn, West Norfolk and the entire region. We trust that Councillors will agree with officers and approve the applications.'

PLANNING HISTORY

The application site has been subject to various planning history across time, most recently as follows:

20/01545/LB: Application Permitted: 18/02/21 - Listed building application for proposed change of use from unoccupied offices to residential apartment studios (C3) - 27 King Street Guildhall of St George

20/01544/F: Application Permitted: 24/06/22 - Proposed change of use from unoccupied offices to residential apartment studios (C3) - 27 King Street Guildhall of St George

18/02152/LB: Application Permitted: 29/01/19 - Listed Building application: Internal and external refurbishment including re-roofing and decoration and renewal and alteration of mechanical and electrical services - 29 King Street

RESPONSE TO CONSULTATION

Historic England: SUPPORT – the application complies with the requirements of the NPPF in particular paragraphs 201, 203, 205, 206 and 208. The following summarises the key parts of the response, with the full document available on the Public Access file:

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- Historic England supports proposals to use St George's Guildhall and the wider site for performance, education, hospitality, and exhibitions, which we see as an exciting opportunity to secure the future conservation of the designated heritage assets.
- Whilst some harm would be caused by the proposed interventions, this is considered to be '*Less than Substantial*' and paragraph 208 therefore applied. In particular, the raked gallery seating and wings would have some impact on the Hall, the most significant part of the site.
- The Local Planning Authority must ensure that robust justification and clear public benefits outweigh the harm identified. Historic England consider that the minimised harm would be outweighed by the heritage benefits offered by the provision of a long-term viable use of the site (NPPF 205, 206 and 208).

20th Century Society: NO OBJECTION- 'We are pleased with the proposed amendments provided. Thank you for amending the scheme to retain the Marshall Sisson-era bathroom doors and stair. We appreciate the concerns of the Twentieth Century Society being taken on board.

We appreciate the need to improve fire safety and access within the building. We accept that the existing draught lobby entry doors, both north and south, and the west end passage exit door, will need to be replaced to meet emergency egress requirements. We ask that, as stated in Haworth Tompkins' response to the Society, that the design of the replacement doors will draw upon Sisson's design. We also request that the original doors are kept in storage so that the fabric is not lost and could be reinstated in the future if needed.

We would also like to thank you for providing full and complete explanations for each of the relevant design decisions made.

Because of the amendments made and the justifications provided, we would like to withdraw our objection to the application.'

The Society for the Protection of Ancient Buildings (SPAB): SUPPORT IN PRINCIPLE, requested conditions to cover the following issues:

'Reinstalled Crown Post Truss - Further details are required to resolve the fixing of the truss and the replacement of missing elements. Until this information is available, we cannot comment further on this matter. However, we reiterate our previous advice that if the beam is clearly recognisable as a new introduction and information readily available to describe its story to visitors, we would not object to the intervention.

Guildhall Gallery Structure - Investigative works are scheduled to expose the historic structure beneath the raked seating. Once this structure is revealed, further information can be provided to clarify the fixing of the proposed steelwork to support the gallery structure and its impact on the historic fabric. Without this level of detail, it is not possible to assess the impact of the intervention on the historic fabric. However, we would not oppose the intervention if the structural works can be proven to be truly reversible i.e. with minimal damage to the historic fabric.

Guildhall Fire Escape Door - It is evident that the doorway will need to be widened to permit a compliant escape route. However, further detail is needed to understand how the brick arch and surrounding historic brickwork will be treated to achieve this.

Red Barn & North Range Foyer Extension - The information provided has clarified that the intention is that the proposed structure will have minimal impact on the surrounding historic

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fabric. However, a greater level of detail is required to provide reassurance that this will indeed be the case.

Archaeology - We understand that a Written Scheme of Investigation will be provided in this regard.

Insulation - We understand that construction details are yet to be fully developed, and these hope to address our concerns regarding insulation. Without this detail we are unable to comment further on these interventions.'

Historic Buildings and Places – NO OBJECTION to amended details - defer to the specialist advice of the Conservation team.

CAAP: - SUPPORT, minutes summarised as follows:

Overall, the Panel were supportive of the Guildhall application, however, there were some areas which the Panel wished to change and get further clarification on. These were:

- Wished to see the Red Barn door on the South elevation removed.
- Better understanding around the landscaping in all of the courtyards
- Retention of the sanitary ware
- Balustrades on the staircase
- Revisit the archaeology to see what could be done with that and check to see what could or could not be conditioned.

Historic Environment Service: NO OBJECTION, subject to standard archaeological conditions.

KLAC Planning Subgroup: NO OBJECTION

CSNN: NO OBJECTION, subject to conditions. In particular relating to outdoor performance spaces and the need for an operational management plan and Construction Management Plan as well as conditions to cover Noise, Plant and Machinery, Odour, Lighting and Construction Hours.

Commented [HW1]: Summarise please

Highways Authority: NO OBJECTION, subject to a condition relating to a scheme for secure cycle parking.

Environment Agency: NO OBJECTION We have no objection to the proposed development, but strongly recommend that the flood resilient measures proposed in the submitted Flood Risk Assessment (FRA) are adhered to.

Internal Drainage Board: NO OBJECTION referred to the Board's Byelaws

Ecology: NO OBJECTION in principle, recommended conditions in the absence of the definitive version of the Ecology Report and to control BNG.

Environmental Health & Housing - Environmental Quality: NO OBJECTION

Air Quality

- Agree with the conclusion of the Air Quality Assessment, no significant impact

- Recommended conditions relating to the submission of an indoor air quality monitoring scheme to improve the local/indoor air quality, due to the number of people likely to

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congregate on site and potential impacts on air quality.

- The backup diesel generator would be relatively small i.e. less than 366kW. Flue heights have been designed based on the Chimney Heights Memorandum to aid dispersion.

- Gas boilers are to be replaced by low emission (zero NOx) air source heat pumps. This is particularly welcome, again to further improve the local air quality in the area.

Recommended consultation of Climate Change team in regard to the PV array battery storage system & CSNN in regard to dust emissions during construction.

Contaminated Land

NO OBJECTION regarding contaminated land following submission of additional information.

Norfolk Constabulary: NO OBJECTION in principle, provided details comments on designing out crime which have been forwarded directly to the application team.

Anglian Water: NO OBJECTION – recommended a condition relating to Surface Water Drainage strategy & informatives relating to connection to public sewer.

Theatres Trust: SUPPORT, stating comments surrounding the benefits of accessibility, sensitivity to heritage and culture, and improvement to suitability of theatre layout.

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

National Trust: SUPPORT - 'I can confirm that The National Trust as the freehold owner of the above-named property has been in consultation with Kings Lynn and West Norfolk Borough Council regarding their proposed works to the property as set out in planning application 24/01188/F and listed building consent application 24/01189/LB.

The plans the Trust have consented to should deliver a sustainable future for St George's Guildhall and the surrounding complex of building as set out in the detailed designs published on the planning website on 27th June 2024. Any further works or variation from the agreed plans will require additional Landlords consent. '

REPRESENTATIONS

SIX letters of **OBJECTION**, summarised as follows:

- Impacts on amenity of residential properties nearby, particularly in regard to noise & disturbance, use of outdoor courtyard areas for performances.
- Visual impact of solar panels & structural capabilities
- Noise, disturbance, and damage during construction
- Proposal shares a boundary to dwellings at No. 2 & 3 Ferry Lane, and access will be required through third party land.
- Concern over conclusion of noise impact assessment detailing due to lack of detail of proposed acoustic treatment, and need for acoustic treatment to prevent noise spill.
- Pedestrian traffic and antisocial behaviour whilst using access to Ferry Lane
- Concern over choice of *Cedrus Decurrens* Incense Cedar tree and impact on loss of light (**please note**: now removed from the proposed White Barn Garden plans).

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- Level changes in the White Barn Garden would allow overlooking (note: no level changes or similar are shown as proposed on the plans), and security of this area should be considered.
- Impact on wildlife using the existing White Barn Garden space (butterflies)
- Detail of rainwater goods in proximity of 2 & 3 Ferry Lane requested.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS03 - King's Lynn Area

CS08 - Sustainable Development

CS10 - The Economy

CS11 – Transport

CS12 - Environmental Assets

CS13 - Community and Culture

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM9 - Community Facilities

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

OTHER GUIDANCE

Conservation Area Character Statement
 Listing Details – See **Appendix 1**

PLANNING CONSIDERATIONS

The main considerations are:

- Principle of development

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- Design & Impact on Heritage Assets
- Archaeology
- Impact on neighbour amenity
- Highway safety
- Ecology
- Biodiversity Net Gain
- Flood risk
- Other material considerations

Principle of Development:

The application seeks full planning permission for uses that accord with the aims of the development plan in regards to enhancing the visitor economy, the vitality of Kings Lynn Town Centre and retaining heritage assets; proposing to retain the Guildhall Theatre and the Riverside Restaurant in their current use classes, and to change the use of the various barns and warehouse spaces to be utilised as flexible performance spaces, galleries, creative hubs, and various ancillary works.

The proposal would retain the Guildhall itself in its historic theatre use, whilst allowing the wider site to respond to its historic setting, providing visitors with the opportunity to understand and interpret the history of the range of buildings whilst also providing viable economic uses for the site – both through the creation/retention of creative hubs and through renovations to the existing restaurant, with the aims of increasing overall visitor draw.

The principle of enhancing and expanding the cultural and tourism facilities within the centre of Kings Lynn is widely supported by Policies CS01 and CS03 of the Core Strategy (2011).

Policy CS10 of the Core Strategy (2011) supports tourism, cultural and leisure uses, noting their contribution to economic and social vibrancy. The policy promotes opportunities to improve and enhance the visitor economy where the proposals consider the historic character and setting of our towns, preserving, and enhancing the environments in which they sit.

Policy CS13 of the Core Strategy (2011) supports development which is accessible and inclusive, which is locally distinctive and is enhanced community wellbeing. The policy goes on to support the protection and enhancement of cultural assets as well as facilitating new cultural facilities within growth areas. Policy CS1 supports the co-locating of cultural facilities on a single site where this could increase economic viability of those facilities.

The Borough Council's Corporate Strategy contains priorities to promote growth and prosperity to benefit West Norfolk, attracting new businesses, supporting existing businesses, regenerate high streets and heritage assets & promote the Borough overall as a desirable leisure, cultural and tourism destination. The Council's Economic Development team (Regeneration Officer) fully support the project. An economic impact assessment was completed by an independent body & this document outlines that the visitor demand is likely to result in positive gains for the local economy, and for the wider east of England area. Specific outputs noted by the Regeneration Officer include: 55 Construction jobs, 17 Full Time Equivalent jobs created on completion, and visitor spend impacts of around £14.65million with 45 additional jobs in the wider local area. These are considered to be wider public benefits in addition to the positive impacts on heritage, culture, education etc.

The impacts of the design on the Heritage Assets are discussed in depth below. Subject to compliance with the overall aims of the Development Plan, the principle of development on site is widely acceptable.

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Design & Impact on Heritage Assets:

Policy CS12 focuses on protecting and enhancing the rich heritage of the Borough such as the historic Listed Buildings and Conservation Areas and Policy DM15 of the SADMPP (2016) provides general provisions for good design which must be complied with, alongside consideration of heritage impacts.

Paragraphs 200-208 of the NPPF (2023) set out how impacts on designated heritage assets should be considered, giving regard to varying degrees of harm and weighing this against public benefits.

The Guildhall is listed as Grade 1. It is considered to be of 'Exceptional Interest' by Historic England's classification, with only 2.5% of England's listed buildings carrying this degree of significance.

Main Guildhall

The main guildhall theatre would be retained in use as a theatre, with alterations proposed to allow step-free/level access and improved sight lines. The alterations include:

- The existing raked floor would be removed and replaced with a level floor – the medieval floor below would be retained in situ, with hatches created in the new floor to allow a view during visitor tours. The existing Sisson era staircase would be amended to suit the new floor layout, with changes made to the balustrade to meet standard requirements.
- An opening would be made adjacent to an existing window at the rear of the hall, linking to No. 29 King Street and a newly constructed lift. The changes to No. 29 King Street are discussed in more detail below.
- A minstrels gallery would be created at the west end of the room alongside an Oak Screen
- Theatre lighting and curtains would be provided by gantries serviced from stage level and hung via roof trusses.
- A new galleried theatre balcony would be fitted within the Guildhall. The theatre fit out has been designed to be entirely reversible, freestanding except for structural support in the floor void and with minimal bracing to the walls.
- The surviving oak crown post truss (currently in storage) would be reconstructed at the front of the stage area.
- The existing eaves level ties, which intrude on the roof structure, would be removed in place of alternative reinforcement via steel ties which would be inserted higher within the roof space.
- Ventilation infrastructure would be installed to meet modern requirements.
- A noticeboard on the front elevation would be removed and replaced with a window in the same position.
- On the south elevation, the existing flat roof buildings infilling spaces between buttresses would be rebuilt and clad in timber materials. The buildings would continue to be used as toilet facilities.
- The east fire escape stair on the south elevation would be upgraded and repaired to provide suitable means of escape to modern standards, including increasing the width of the escape door opening. The top of the staircase would need to be modified to suit the revised internal floor levels following removal of layers of the existing raked floor (discussed in more detail above). A historic opening would similarly be reopened at ground floor for the same purpose.
- A medieval drainage channel through a buttress to the north wall of the Guildhall would be reopened.

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- The Guildhall would be reroofed, re-using the existing roof tiles as far as possible & clad over the existing structure to maintain the current imperfect ridge line.
- Various doorways are proposed to be replaced, inserted or removed. Following 20th Century Society Comments, the key Sisson doorways along St George's Passage would be retained.
- The original boards that have been dropped at ceiling level to accommodate Sisson's orchestra pit will be reinstated at their original level.
- New stairs and a lift will be provided to the current undercroft bar space, allowing that area to be utilised more regularly for smaller events.

The majority of the interventions proposed have not drawn concern from consultees or neighbours. Those elements that have drawn concern, either from the Conservation Team or from consultees, are discussed in additional detail below.

The works to the theatre space itself have been the most contentious for consultees, with the 20th Century Society originally raising concern over the loss of Sisson era alterations (e.g. staircases), and SPAB raising concern over the principle of removing the raked floor and how the new interventions would be constructed without detriment. Those concerns have now largely been overcome, as discussed throughout this report.

The original concerns of the Twentieth Century Society regarding the additions and alterations to the building made by the architect Marshall Sissons in the 1950's, have now been addressed. The Agents have liaised with the Society in relation to the Sisson staircase and works to various internal doors, and amended plans have retained numerous doors and clarified the plans for the staircase. Following the submission of amended plans, the Twentieth Century Society have confirmed that they no longer object to the proposal.

In response to SPAB's comments regarding the structural capabilities of the underfloor to support the new gallery structure, it is considered that detailed construction mechanisms and supports required would be controlled via condition. This would allow the opening up works to inform the structural works.

The proposed new floor would be constructed following the removal of the raked floor inserted by Beakley (after the earlier Sisson fit out). The new floor better reflects the earlier level floor that was existing on site since the medieval period. It also allows the level access required for accessibility purposes.

The Oak Crown Truss, the restoration of which was queried by SPAB, is the sole survivor of several that historically stretched the length of the hall. All parties acknowledge that the truss would not be in its historic position, instead it has been chosen to suit the theatre layout, towards the front of the stage. Whilst not in its original position, the restored truss would allow visitors to interpret the historic appearance of the space.

The reroofing of the Guildhall would improve the insulation and ventilation properties of the building. This would raise the ridge height by approximately 32cm. New boards would be laid on top of the existing rafters which would mean some of the organic shape of the roofline would be able to be retained. The proposal would result in no loss of the historic roof structure or fabric.

The reinstatement of the ceiling height along St George's Passage would rectify the harm caused by the insertion of Sisson's orchestra pit. Reverting to the original ceiling arrangement would be of benefit to the Guildhall's overall character and allow better understanding of the original spaces, whilst also allowing a viewpoint towards the new foyer/lobby area.

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Overall, in heritage terms, while the alterations to the Guildhall would result in further intervention to historic fabric, most notably through the creation of the link through to No. 29 King Street this is considered to be less than substantial harm which allows an important building to be retained in modern theatre use and attract a new and different audience. The changes would be made sympathetically and retain historic fabric where possible and the design of the proposal is overall considered acceptable. The external changes would retain the character of the building as it sits in the street scene.

The concerns of statutory consultees with regard to specific issues are considered to have been overcome by negotiation & can be further controlled through the imposition of appropriate conditions.

The changes to the Guildhall proposed by this application are considered to be in line with the requirements of Paragraph 208 of the NPPF and Policies Cs12 and DM15 of the Local Plan.

Foyer Link Extension

The new Foyer area is a key part of the project and the design has been prepared following the issues raised in the Conservation Management Plan in relation to: social sustainability, circulation between spaces and uses, the current underuse of St George's Entry passageway, inadequate sizing of the existing foyer/entryway and the unsuitability of the existing catering and refreshment provision.

A Foyer link extension would be constructed in the space between the west elevation of the Guildhall, the North Warehouse Range to the north and the Red Barn to the south. This extension makes use of contemporary design features including extensive glazing and a zinc roof. Considering its position, the extension would not be visible within the wider street scene and from a planning perspective, it would only impact on the immediate surroundings.

The impact on the historic fabric caused by the new link building would be limited to the junction of the new roof and existing north warehouse south elevation, junction of the new roof and existing Red Barn north elevation, and west screen/ doorway. The roof has been designed to sit above the existing stonework. The method of attachment means that the foyer could, if required in the future, be removed and the joints repointed leaving no trace of its presence.

Conditions are recommended to ensure full details of how the building would be constructed, in particular how it will be joined to and interact with the existing buildings, would be controlled via conditions on the Listed Building consent.

Overall, the proposed foyer extension would play a key role in the ongoing viability of the theatre use and provides vital ancillary uses & circulatory spaces for that purpose. Whilst some harm would be caused as a result of the proposed extension, this harm has been minimised through careful design, with the dimensions of the infill extension being designed around existing fabric wherever possible. The glazed element of the extension would allow the historic fabric to be appreciated whilst the building is also upgraded for modern usage. This accords with the aims of the NPPF and Policies CS12 and DM15 of the Local Plan in regard to good design, protecting heritage assets and enabling their viable uses.

Red Barn

The Red Barn is currently used as a bar space with a small seating area and as part of the proposal would be incorporated into the Foyer space.

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As part of the proposal, the Roof of the Red Barn would be insulated and replaced at a higher level in the same way as described above. Where the red barn adjoins the new Foyer Link Extension, the existing external ramp would be removed & a large walk-through opening created following removal of brickwork which is believed to be more recent than other areas. Previously functioning as a barn/warehouse, this building would have had a large opening in this area and therefore the principle of reopening brickwork to provide access is considered acceptable. Former openings on the south elevation would also be unblocked and a new opening formed on the west elevation would allow greater visual connection to the main courtyard.

Internally, new plaster ceilings would be provided between main roof members and brickwork revealed. The floor of the building would be lowered to allow level access from the new Foyer Link. The existing quarry tiles would be re-laid at the new level.

The overall identifiable harm to the Red Barn as a result of the proposal is limited, with the new windows and openings inserted within historic openings wherever possible. The alterations to the red barn are considered suitable to minimise harm to overall historic fabric across the Guildhall complex & would, as with the Foyer Link Extension, improve the accessibility of the space whilst allowing a more intensive use which should improve the long-term viability of the use and of the heritage asset. This accords with the aims of the NPPF and Policies CS12 and DM15 of the Local Plan in regard to good design, protecting heritage assets and enabling their viable uses.

North Warehouse Range

The proposed changes to the North Range Warehouses, including the Riverside Restaurant and Shakespeare Barn and would play a key role in the ongoing viability of the theatre use and provides vital ancillary rooms for the theatre whilst also improving the facilities available for the separate restaurant uses, increasing the usability and accessibility of those spaces for future users.

The North Warehouse Range is proposed to be re-roofed using existing materials to allow a greater level of insulation, this would involve raising of the ridge line by approximately 33 cm. A new dormer in the north facing roof slope would be installed to connect services between the North Warehouse Range and the Shakespeare Barn. Kitchen ventilation would be re-positioned onto the north facing slope. Various internal alterations are also proposed to improve the usability of the space. It is considered that the improvement in the useability of the buildings & their long-term retention would outweigh any minor degree of harm.

Internally, various changes are proposed to allow the buildings to function in their various uses, including the refurbished riverside restaurant with w/c spaces below and green room and dressing room facilities for the theatre use. New openings would provide internal links into the Shakespeare Barn. Existing brickwork would be removed to enlarge doorways to the current plant room and allow public access to the medieval gateway.

Various changes are proposed to fenestration, formerly blocked windows would be reopened with new timber joinery proposed. Other windows would be blocked by recess brickwork, and secondary glazing is proposed where appropriate. The unblocked openings will introduce a visual connection between the interior and exterior spaces and animate the currently underutilised main courtyard without detriment to the wider street scene.

Part of the north elevation of the North Warehouse Range faces towards the current garden space of the Globe Public House (Wetherspoons), which is third party land. Replacement windows would be inserted along this north elevation alongside intakes and exhaust vents.

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Shakespeare Barn - The Shakespeare Barn would be utilised for various ancillary purposes, including hosting the majority of the proposed plant and machinery & various backstage facilities including the kitchen, goods lift and loading and delivery area, and additional WCs.

The roof would be replaced with a new roof structure to allow the inclusion of roof top plant space and an acoustic enclosure. The east wall of the barn would be rebuilt to suit the internal layout, internal substation ventilation requirements and the roof top plant space. This work is required to ensure that the plant and machinery are able to function well and meet modern standards.

The Shakespeare Barn is positioned wholly surrounded by existing buildings and therefore the structural changes proposed would have limited impact on the street scene or surrounding locality. In regard to its impact on the setting of the Guildhall, the changes are considered suitably designed to ensure any minor levels of harm are minimised. It is considered that the alterations to this building are acceptable, however full details of the proposed plant and machinery and associated screen would be controlled via condition for the avoidance of doubt.

Fermoy Gallery – The existing ceiling within the Fermoy Gallery would be removed to allow the visibility of the roof structure. It is intended that the existing brickwork walls would be revealed following removal of plasterboard lining, and these would be whitewashed if their condition allows.

Kings Lynn Players – The area of warehouse currently occupied by the Kings Lynn Players would be altered internally, with opening up of the historic roof structure and the insertion of an additional area at first floor to be utilised as part of the Creative Hubs. The historic features, such as floor, roof structure and wall surface, will be retained, whilst the modern fittings will be removed to suit the new use. The new floor beams will be supported by the existing walls whilst re-using former wall sockets (to be investigated following removal of stored items) wherever practicable.

Riverside Restaurant – within the Riverside Restaurant, existing modern partitions, kitchens/WC fittings etc would be replaced to suit the proposed layout and allow the functionality required for modern restaurant uses. The new WCs for the restaurant would be created in the eastern section the Undercroft, at basement level.

The position of the new WCs at basement level would require the insertion of a new staircase which requires the loss of some historic fabric (floorboards and joists); however, those works facilitate the use of the existing unused basement space and reroute the customer WCs away from the restaurant's kitchen which provides an overall more desirable layout.

Overall, whilst some harm would be caused as a result of the insertion of new windows and alterations to internal layouts across this North Warehouse Range, this harm has been minimised wherever possible through the use of suitable materials & respecting the key areas of the most significance within each building. This accords with the aims of the NPPF in regard to protecting heritage assets and enabling their viable uses.

29 & 29C King Street

29 King Street is immediately north of the main Guildhall building and is proposed to house the new Guildhall accessible lift and access stairways, as discussed above. The remainder of the space would be utilised for offices and other ancillary purposes to help in the day-to-day functioning of the theatre and creative hub use.

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The proposed doorway, providing access from No. 29 to the Guildhall & to the lift, is in the position of a former doorway and the removal of fabric would be limited to the modern infill bricks and modern window joinery only. The extension would retain the remaining section of window currently serving the Guildhall as visible from the inside of the new space and, due to the construction method employed, the fabric of the stone surround of the window and therefore the oldest element, would remain unchanged.

The ground floor area of No. 29 houses the carriageway passage which is intended to be utilised to provide access to the Shakespeare Barn courtyard for servicing and other functions. An existing doorway in this passage will be widened to allow access for wheelchairs to a wheelchair accessible WC.

For fire safety reasons, the ceilings at Ground Floor would be upgraded with fire rated plasterboard between existing joists. Minor alterations are proposed to existing walls and doors to provide the required layout, and floor level changes are required for level access.

Doorways would be created to provide internal links between 29 and 29C King Street.

The changes to 29 King Street are particularly extensive due to the need to create a suitable & safe access point & lift access to the first floor of the Guildhall. The works would result in harm to and loss of part of the historic fabric of this Grade II Listed Building in place of other alternative schemes which would have resulted in more significant harm to the Grade I Listed Guildhall itself. The proposed scheme does therefore seek to minimise harm as well as mitigate it through careful design & positioning of new openings. As with the consideration of the above, it is considered that this less than substantial harm is far outweighed by the wider public benefits of the redevelopment scheme. This accords with the aims of the NPPF in regard to protecting heritage assets and enabling their viable uses.

South Range

Old Warehouse

The Old Warehouse is currently only used for storage purposes due to its physical constraints – with a low doorway entry and low ground floor ceilings which prohibit any more intense or public use.

Again, the roof of the Old Warehouse would be insulated and replaced at a higher level, this would result in minor changes to the slope of the dormer windows on the south elevation. Previously blocked openings would be reopened to form doorways & new joinery would be installed to suit the use as a gallery/foyer and shop.

The proposed changes to fenestration would again open up views towards the main courtyard & also allow better light into internal spaces to suit the proposed use. Ground floor head height would be improved through the relocation of first floor beams. The external walls will be made good with matching brickwork where alterations will be required for raising the beams.

White Barn

The White Barn is currently rented for use by lighting and production engineers who require it for large rigging and editing.

The existing mineral sheet roofing of the White Barn would be removed and replaced (following insulation works) with corrugated galvanised steel, with a total height approximately

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27cm higher than existing. The new roofing has been selected to ensure it is appropriate for the low-pitched roof as well as the site context & historic warehouse use.

The existing large barn door would be fixed open, with glazed doors set within the opening and the existing upper windows, otherwise covered by the fixed shutters, filled in with matching brickwork. An existing blocked opening on the north elevation would be reopened as a new window, with metal framed double glazing. New window and door openings would also be created in the west elevation.

New doorways are proposed in the south elevation to allow greater interaction with the courtyard space to the rear of the White Barn & subsequently a door to Ferry Lane.

The alterations would allow the more intense use of the White Barn and a more inviting space for users, as a Flexible Use Space with WCs at ground floor and creative hub units and associated facilities at first floor. The changes to the elevations would again improve the building's interactions with the courtyard space.

The changes to the white barn are largely internal and are considered to lead to very limited harm to the Listed Building itself. The internal reconfigurations of the White Barn and the neighbouring White Barn Annexe and Old Warehouse would allow for community benefits in the form of additional creative hub and flexible business spaces which would add to the vibrancy of the town centre and allow local employment. Those public benefits would outweigh the harm caused to the building through elements of the scheme such as the reroofing and new openings.

White Barn Annexe

The White Barn Annexe's main current use is for ancillary storage purposes, storing various pieces of stage scenery etc from productions throughout the Guildhall's more recent history. The proposed use as part of the Creative Hub would provide a more effective use of the space as part of the overall redevelopment of the site. The alterations are limited to that which are reasonably required to facilitate the proposed use and where new openings are required, their impacts on historic fabric have been minimised through careful positioning. The existing cement render would be removed from external walls and replaced with lime-based render, existing windows and doors would be replaced with new joinery, and a new window is proposed on the north elevation.

Existing air-source heat pumps and enclosure would be removed to be replaced by new equipment. A new generator flue will rise to above eaves level, to be utilised for emergency purposes only.

Solar Panels

The application includes the provision of solar panels on the south facing roof slope of the Old Warehouse, the White Barn, and the White Barn Annexe. Glimpses of views would be available of these solar panels from the White Barn Courtyard Garden space as well as from off-site, from Ferry Lane as well as from West Lynn. The fixings for the panels will be mechanical and can be removed, if necessary, in the future. It is not considered that these solar panels would lead to substantial harm to the character of these buildings. Solar Panels are becoming more common place on roof slopes across the Borough and their benefits from a renewable energy perspective are considered to outweigh any minor degree of harm.

Historic England Guidance surrounding the installation of solar panels states that where possible harm to the heritage asset through the installation of solar panels should be avoided.

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When assessing a listed building application, the only consideration is upon the building fabric. The roof is being raised and in the case of the White Barn, a new roof is being installed. This means that there will be minimal impact upon the historic fabric from the installation of the solar panels.

Whilst neighbour objections to the positioning of solar panels are noted, the solar panels are not considered to lead to harm to an extent that would warrant refusal on those grounds. The very minor level of harm caused by the solar panels would be outweighed by the scheme as a whole, and the use of solar panels as a renewable energy allows the scheme to be more sustainable in regard to energy-use long term. This complies with the NPPF (2023) and local plan overall, in regard to minimising harm and supporting renewable energies.

Conditions on the Listed Building Consent would control the physical works to the roof to install the solar panels, as well as their final external appearance.

Other Buildings

The Garden House is proposed to be refurbished internally & a service hatch would be created in the east wall. The building is currently underutilised and its reuse as a small sales point would contribute to the wider offer proposed across the redeveloped site.

Landscaping & Public Realm

New hard landscaping is proposed, including an accessible ramp and terraced amphitheatre space within the river terrace and garden area. Labelled by the Agent as the 'Flowery Mead,' this area is intended to be an accessible space used occasionally for outdoor events and as a publicly accessible terrace at the far end of the courtyard.

Subject to careful conditions ensuring long-term viability of new planting and suitable use of materials, it is not considered that the design of the landscaped areas would lead to harm to the setting of the heritage assets.

General Repairs and Improvements

Across the site, it is intended that existing brickwork is repaired as necessary, using appropriate matching brickwork and mortar. The existing substandard pointing to the west gable of the Guildhall building would be removed and repairs take place alongside the other works proposed.

Existing rainwater goods across the site are also proposed to be repaired and improved, replaced only where necessary. All new rainwater goods would be painted cast iron.

These elements of the proposal would be widely beneficial for the heritage asset and are not considered likely to lead to any identifiable harm.

Conclusion on Design, Heritage and Harm

It is considered as a whole that the design impacts of the scheme are acceptable. From a street scene perspective, the setting of the Guildhall and the form of the main buildings will be largely unchanged. Where extensions are proposed, they have been appropriately positioned and designed in line with the requirements of the design policies of the NPPF and Local Plan. It is not considered that the design of the proposal would lead to adverse impacts on the street scene, or the character of the Conservation Area as a whole.

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Whereas the Planning Application (24/01188/F) requires all material considerations to be taken into account in the decision-making process, and therefore for harm to be balanced against public benefits, the only consideration in the determination of the Listed Building application is the impact of the proposal on the significance of the building.

The proposal would result in less than substantial harm overall. While some aspects of the proposal enhance the significance of this important Grade I listed building such as the removal of a modern fire escape and the removal of later internal partitions to the warehouse range, some interventions result in loss of or significant alteration to historic fabric. These areas include the Sissons staircase, the invasive alterations to the Grade II listed 29 King Street and the construction of the modern foyer. While these could be considered as changes which are required for the ongoing vitality and development of the site, they result in changes which impact upon the coherence and significance of individual elements of the site and this must be appropriately considered.

Great weight has been given to the conservation of the Guildhall and its ancillary buildings throughout the development of the scheme (paragraph 205 of the NPPF) and the works have been justified both in heritage terms (paragraph 206 of the NPPF) and in terms of the impact upon the use of the building. While there is harm to individual elements, the impact upon the buildings as a whole is minimal and together would result in less than substantial harm which is low/moderate in scale.

Impacts on the fabric of the buildings have been minimised through detailed design, documentary research, archaeological investigations and opening up works, as well as following the feedback from pre-application discussions.

The new layer of design interventions proposed by this current scheme would make use of appropriate materials and design features that are suitable for the location and history of the building. The loss of parts of Sisson's interventions is noted, however in line with the NPPF, the identified harm must be weighed against public benefits. It is evident from within the submission that the scheme has been designed to minimise harm wherever possible, it would not be practical to retain the staircase unchanged following the changes to floor level, and other alterations are required in order to meet building regulations requirements.

It is clear that a significant part of the historic value of the site is derived from the interrelationship between elements from multiple periods across history. The proposal has been balanced with regard to minimising harm, whilst allowing the building to safely function going forwards.

Additionally, a higher degree of less than substantial harm has been identified in other aspects of the proposal – in particular through the raked gallery seating and mezzanine wings – this harm has again been minimised through careful design in line with Paragraph 201 of the NPPF (2023).

As noted above, the overall harm has been identified as 'Less than Substantial' and Paragraph 208 therefore applies, and this harm must therefore be balanced against public benefits of the scheme.

This approach has been agreed by Historic England, who support the application on heritage grounds. It is the Local Planning Authority's responsibility to ensure that robust justification and public benefits would outweigh the identified harm to the Heritage Assets associated with this application.

The proposal has the potential to lead to wider community benefits in regard to community, culture, and education as well as varied economic benefits relating to the various uses. The

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proposal would also offer significant further benefits with regard to retention of the building through allowing the spaces long-term viable uses (NPPF 205, 206, 208). A full assessment of the planning balance takes place within the conclusion at the end of this report.

Archaeology:

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. Policies CS12 and DM15 of the Local Plan therefore apply.

The archaeological potential of the site is of high significance. The site of the Guildhall may have archaeological interest earlier than the 15th Century, as the houses and warehouses on the west side of King Street were built onto land reclaimed from the riverbank, likely in the late medieval period, which may therefore retain evidence of earlier riparian structures. The use of medieval domestic debris to reclaim the land has high archaeological interest and the potential for the survival of early river front structures buried during subsequent phases of reclamations is likely. Waterlogged conditions are likely to preserve organic material in the rubbish as well as timber structures.

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.

In line with comments from the Historic Environment Service, conditions are recommended to ensure that the works take place in accordance with an archaeological written scheme of investigation to be approved in writing by the LPA. 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 as the proposed groundworks appear to be relatively minor in scale.

This will ensure that any archaeological implications of the development are properly accounted for, in accordance with Paragraph 211 of the NPPF, Policy CS12 of the Core Strategy 2011 and Policy DM15 of the SADMPP.

Impact on Neighbour Amenity:

NPPF (2023), Policies CS03, CS08 and DM15 of the Local Plan all require development to function well and not lead to adverse impacts on residential amenity.

Neighbouring dwellings at Ferry Lane & Old School Court are positioned along the length of Ferry Lane and there are various existing windows and outdoor spaces which may be impacted particularly by any intensification of use proposed within the White Barn or within the associated courtyard garden space.

The new openings proposed on the south elevation of the White Barn are shown as high-level windows serving the ground floor on Section EE. There is therefore limited opportunity for those windows to cause privacy concerns.

Third Party objections were received during this application, primarily from occupiers of residential properties immediately adjacent to the site at Ferry Lane & Old School Court. These properties are in close proximity to the application site and may be impacted by noise and disturbance during day-to-day operations of the site.

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Particular concern was raised in regard to performances within the White Barn and Courtyard spaces and impacts from access to Ferry Lane. This access point is existing; however the use of the White Barn and White Barn annexe is likely to intensify as a result of the proposal, and there is potential for increased associated noise and disturbance for dwellings along this south site boundary as a result.

No performances are proposed to take place within the White Barn Courtyard, which is intended to be used for quiet reflection space and workshop breakout space. It is considered that the conditions relating to noise prevention measures combined with the separate legislation on events licenses are sufficient to control impacts on these properties. Full detail of internal acoustic treatments will be required via condition.

Given the town centre location and the position of Ferry Lane Social Club and the West Lynn Ferry to the west of the site further along Ferry Lane, some impacts from pedestrians are existing. The hours of entry/egress via the Ferry Lane gate can be controlled via condition to ensure that noise disturbance from people accessing and leaving the site only occurs at reasonable hours. CCTV is proposed to monitor the passageway along Ferry Lane for further security.

In so far as other noise and disturbance impacts from the internal uses, the proposed plans include noise insulation and acoustic treatments of the White Barn and the Old Warehouse which are proposed following the guidance of a noise consultant. These details can be controlled via condition.

As recommended by the CSNN team, a condition is proposed to ensure that an Operational Management Plan is submitted to and approved in writing by the LPA prior to the first use of the development. This would allow confirmation of opening and operating hours as well as controlling hours of use of the Ferry Lane access to prevent adverse impacts on neighbouring properties later in the evenings. This condition would allow specific exceptions to the general hours of operation where necessary for special events – such as during Festival Too when the West Lynn Ferry operates later in the evenings, and the route would provide a useful service for visitors.

Whilst the CSNN team recommended a detailed condition specifying expectations, it is considered that the condition can be simplified and an informative used to set out the LPA's expectations. The discharge of condition process would allow consideration of planning considerations & requirements and how those would relate to the separate requirements for events licenses etc.

In brief, the management plan is expected to include the following controls:

- Full details of the proposed outdoor activities and performances to take place in the Courtyard including types of events, number, and frequency of each type of event per year and predicted noise levels at noise sensitive receptors.
- A plan that illustrates all the areas of the site referred to in the management plan.
- Thereafter the site shall be managed in accordance with the Operational Management Plan as approved (until such time that any subsequent version is approved).
- Performances within the main Guildhall will operate until 00.00hrs (midnight)
- The restaurant/bar will operate until 00.00hrs (midnight)
- Outdoor use associated with the bar/restaurant will cease by 22.00hrs.
- The Courtyard will be used for workshop breakout space between 10.00hrs and 22.00hrs
- The White Barn Garden space will be used for workshop breakout space and as a space of quiet reflection between 08.00hrs and 20.00hrs and will not be used after 20.00hrs. There will be no performances in this space.

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- The Ferry Lane passageway (the entrance off Ferry Lane) will be opened at 08.00hrs and closed at 19.00hrs with the exception that it can remain open until the time of the last ferry on the occasional times during the year when the ferry operates a later service.
- The Ferry Lane passageway will be monitored by CCTV.
- The main entrance to the Guildhall will remain on King Street.
- No glass bottles will be tipped into external bins outside of the hours of 09.00hrs and 17.00hrs.

Existing fencing forming the boundary of Old School Court immediately opposite the proposed gated entry to Ferry Lane is approx. 2m tall and any loss of privacy is considered unlikely when considering the existing use of Ferry Lane as a Public Right of Way.

Further control of outdoor events would be provided through the licensing process which is separate from the Planning System. The Guildhall's current events license would not cover those works and so further application to the Borough Council's Licensing Team would be required under separate legislation.

In so far as other noise and disturbance impacts from the internal uses, the proposed plans include noise insulation and acoustic treatments which are proposed following the instruction of a noise consultant. These details can be controlled via condition.

To mitigate the potential for overlooking or loss of privacy between the use of White Barn Courtyard Garden & No. 3 Ferry Lane, it is proposed to raise the boundary wall by 4 additional brick courses, approximately 300mm taller than existing.

Given the scale of the works, impacts during construction can be controlled through the submission of a Construction Management Plan. This will detail working hours, measures to minimise dust, contact details for lead contractors & processes to make complaints. Issues of private access rights raised by neighbours are civil matters and are discussed below.

External lighting is also recommended to be controlled via condition to ensure that lights are appropriately positioned and will not lead to adverse levels of light spill off-site towards residential properties.

Subject to the imposition of the Construction Management Plan and Operational Management Plan condition discussed above, it is considered that the impacts on residential amenity associated with the scheme are acceptable and would not lead to any significant increased impacts on the surrounding environment. This is in line with the NPPF (2023), Policies CS03, CS08 and DM15 of the Local Plan.

Highway Safety:

Policy DM15 of the SADMPP (2016) requires, amongst other things, for development proposals to demonstrate safe access. Policy CS11 also reiterates the need for improving accessibility and promoting sustainable transport. Paragraph 115 of the NPPF (2023) states that development should only be prevented or refused on highways grounds if there would be an unacceptable impact on highway safety, or the residual cumulative impacts on the road network would be severe.

The site currently has no cycle parking and no formal car parking spaces however very limited levels of ad hoc parking takes place for staff, deliveries, and maintenance within the main courtyard space. The proposal includes 32 cycle spaces for visitors and staff, two loading spaces within the main courtyard, and two parking spaces within the Shakespeare Courtyard. The onsite car parking would be utilised only by staff and not for visitor parking. A Transport

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Assessment was provided in support of this application which concludes that the site is accessible for those using non-car modes of transport and that the existing infrastructure of the surrounding network is excellent with opportunities to walk/cycle and use public transport. It also concludes that the proposal will not adversely impact on the highway network, which will be able to handle the projected number of trips.

The Local Highway Authority provided comments noting the lack of covered staff cycle parking areas however not raising objections to provision as a whole. Given the historic sensitivities of the site, it is considered that the most appropriate place for secure cycle parking would be within the Shakespeare Courtyard. A condition is recommended to ensure a staff cycle scheme comes forward; however, the condition is proposed to provide flexibility in regard to specifically covered cycle parking due to the heritage sensitivities of the site.

As a town centre location, it is considered that the parking proposals are acceptable, despite not meeting the typical NCC standards for the floorspace provided across the site. Whilst it is acknowledged that there could be a significant visitor draw following redevelopment of the site, the main uses proposed are primarily existing & the site is well-located within the main town centre to allow guests and visitors to park in nearby locations and/or make use of local public transport links. The Agent has amended the plans during this application to show 16 cycle racks within the site, providing space for 32 bicycles to park across the site in various convenient locations without adversely impacting on the historic character of the site which is a key consideration when considering the positioning of ancillary structures.

Given the above, the proposal is therefore compliant with policy on transport and access, in particular Policies CS08, CS11 and DM15 of the Local Plan.

Ecology:

The NPPF (2023) and Policies CS08 and CS12 of the Core Strategy (2011) aim to ensure that impacts on protected species are avoided and where necessary, mitigated as part of planning applications.

The buildings on site are considered suitable to support roosting and the Preliminary Ecological Appraisal submitted with this application suggests that further surveys are already being undertaken by Wildlife Frontier.

The bat hibernation surveys recorded no in-situ bats or signs of bats. There is therefore no evidence that the site is used by hibernating bats, however emergence surveys carried out have provided evidence that bats are present in the building currently. Dusk emergence surveys were completed in August and whilst full detailed results of these surveys are still outstanding, the Agent has acknowledged that a European Protected Species License would be required for the proposed works.

The site was found to have little suitability for any other protected species.

On balance therefore, despite the lack of final surveys being submitted, it is considered that additional conditions can be applied to this consent to require the submission of a final ecology report prior to commencement of works. The ecology report must contain details of proposed mitigation and enhancement measures based on those final survey results.

As a license would be required from Natural England, the Local Planning Authority must consider the Tests of Derogation set out under the Conservation of Species and Habitats Legislation to ascertain that Natural England, as responsible body, are likely to grant a license for the works.

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A mitigation licence derogating from the legal protection afforded to roosting bats by the Conservation of Habitats and Species Regulations 2017 (as amended) can only be granted in cases where the activity meets the following three tests.

1 - There is an overriding public interest.

The proposal is considered to comply with this test. The application complies with the policies of the development plan, and as discussed throughout this report, would provide significant community, cultural and economic benefits.

2 - There is no satisfactory alternative.

The alternatives to the proposed reroofing activities would include not completing the works. This would prevent direct impacts however the buildings would continue to deteriorate, and it is likely that repair works would need to be carried out which would impact on bat roosts. The proposed development provides wider benefits as well as improvements to the longevity of heritage assets whilst also providing an opportunity to improve each building's thermal properties. Any impacts on bats are likely to be successfully mitigated and it is considered that this option provides the most appropriate solution.

3 - The resulting permitted actions will not be detrimental to the maintenance of the populations of the species concerned at a favourable conservation status within their natural range.

The survey results available to the LPA at this stage suggest that the bat roosting use is by modest numbers of a relatively common bat species (Pipistrelle) and any impact is considered possible to mitigate through compensation conditions. The favourable conservation status of the local common pipistrelle population is judged as extremely likely to persist despite the proposed development, so long as there is mitigation with respect to the undertaking of the works.

It is the LPA's opinion that an EPS license is likely to be granted on the above basis. The Council's Ecologist raises no objection to the application subject to conditions to ensure that the completed survey is submitted to and agreed in writing by the LPA prior to the commencement of works, in order to ensure that appropriate mitigation measures are included in the design from the outset. On this basis, the development complies with the NPPF (2023) and Policies CS08 and CS12 of the Core Strategy (2011).

Biodiversity Net Gain:

Biodiversity Net Gain is now a legislative requirement for planning applications and a mandatory requirement under para 186(d) of the NPPF (2023). The Biodiversity Net Gain Matrix and supporting information within this application indicate that off-site provision is required, and this would be delivered through a Habitat Bank. Full details of the off-site BNG would be controlled via the standard condition provided within the legislation, which requires submission of a detailed Biodiversity Net Gain Plan.

No objections were received in regard to Biodiversity Net Gain.

In this scenario there will be no duty on the LPA to monitor Habitat Bank BNG as the responsibility of this will fall on the Responsible. If we are not monitoring BNG then we do not need to obtain a monitoring fee and subsequently there is no requirement for a s106. Please include the following Condition and Informative on any consent:

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On this basis, the proposal complies with the requirements of the NPPF (2023), Policies CS08 and CS12 of the Core Strategy (2011) in relation to biodiversity.

Flood Risk:

The site is located adjacent to the River Great Ouse and is partially located in Flood Risk Zones 2 and 3. Planning policy at all levels requires new development to ensure that flood risk is not increased elsewhere (NPPF paragraph 173, Core Strategy Policies CS01 and CS08).

As demonstrated in the flood risk assessment submitted in support of the planning application, the proposal would not have a material impact on the flood risk of the site, does not increase the flood risk vulnerability of the site as per Annex 2 of the NPPF, and would not cause flooding elsewhere. The proposal is appropriate for the location and is capable of being flood resistant and resilient. The proposal is therefore compliant with flood risk policy.

Surface water details are controlled via condition, and gutter details specifically would be controlled via the Listed Building Consent. Despite a request from the neighbouring property at Ferry Lane, it is not considered necessary to ask for additional detail of gutter positions up front.

The Borough Council's Emergency Planner has recommended that the building's operators sign up to the Environment Agency's Flood Warning System & prepare suitable evacuation plans.

The proposal therefore complies with the NPPF (2023) and Policy CS08 of the Core Strategy (2011).

Other Material Considerations:

Licensing for outdoor events

The Guildhall premises licence (agreed by BCKLWN's Licensing Team under the Licensing Act 2003) currently only covers the licensable activities indoors. The license controls the sale of alcohol, performances of live music/plays/dance, exhibitions of a film and playing of recorded music inside the buildings but would not as it stands cover the outdoor activities proposed to take place as part of this application. A variation of the existing license would be required for the proposed use, and this would be controlled under separate legislation (the Licensing Act). Any licensing application would control measures relative to the licensing objectives and this would be additional control in excess of the measures proposed within this report with the aims of controlling noise and disturbance. Licensing applications are subject to their own consultation period where concerned residents could comment on the proposed scheme.

Air Quality and Contamination

Policy DM15 of the SADMP (2016) requires development to be assessed against impacts from contamination, as required by Paragraph 189 of the NPPF (2023).

The Environmental Quality Team note that the indoor air quality associated particularly with the theatre use. Some areas of the building are proposed to benefit from new mechanical ventilation and/or heat recovery systems. In such instances it can be considered important to maintain a healthy level of indoor air quality through use of appropriate sensors. The Environmental Quality therefore recommend conditions requiring the installation of an approved air quality monitoring scheme.

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The air quality officer raised no further objections in regard to pollutants from the diesel backup generator or gas boilers proposed and raise no concern on impacts from traffic or other pollutants.

Due to the age of the property, it is likely that asbestos containing materials are present. Whilst the Environmental Quality Team recommended conditions are used, it is considered that due to other legislation governing Asbestos Impacts, that informatives are recommended to ensure appropriate consideration of Asbestos disposal and management throughout the construction process.

The proposal therefore complies with Paragraph 189 of the NPPF (2023) and Policy DM15 of the SADMPP (2016).

Specific comments and issues:

Sanitary Ware - In answer to the CAAP concerns around the sanitary wear, the existing toilets are unable to be retained in the interests of modern hygiene requirements and they are not considered to be of such importance to the significance of the building that harm would be caused through their removal. They are therefore proposed to be replaced with modern units.

Civil Matters - Access to Third Party land during construction and for maintenance works is a civil matter. The intention is for developers to undertake construction from BCKLWN land as far as possible; if required, access via private gardens for construction and maintenance works will be discussed with neighbours and Party Wall notices will be raised outside of the planning process – these elements are not a planning consideration.

Conclusion & Planning Balance:

The only consideration in the determination of any Listed Building Consent application is the impact of this proposal on the significance of the listed building. The NPPF identifies the conservation of historic assets as a core principle of the planning system and an important element of sustainable development and states that they are an irreplaceable resource and should be conserved in a manner appropriate to their significance, so they can be enjoyed for their contribution to the quality of life of existing and future generations.

The heritage statutory considerations for the proposals are sections 16(2), 66(1) and 72(1) of the Planning (Listed Buildings and Conservation Areas) Act 1990. S16(2) states that in considering whether to grant listed building consent for any works the local planning authority shall have special regard to the desirability of preserving the building or its setting or any features of special architectural or historic interest which it possesses.

Paragraph 205 of the NPPF 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** (and the more important the asset, the greater the weight should be). This is irrespective of whether any potential harm amounts to substantial harm, total loss or less than substantial harm to its significance.

When the planning authority considers whether to grant or to refuse an application for Listed Building consent, it must give particular attention to the desirability of preserving the building, its setting and those features which make it special.

The Guildhall of St George is Grade I listed, and therefore considered to be an 'Asset of the highest significance' for the purposes of paragraph 206 of the NPPF, which states that any

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harm to or loss of significance of a designated heritage asset requires clear and convincing justification. Substantial harm should be wholly exceptional.

For the reasons discussed throughout this report, Officers do not consider that the proposed development would lead to substantial harm to the significance of the Guildhall of St George.

Whilst the proposal would result in partial demolition of areas of the building, to allow for example the insertion of openings, or harm by other means through additions and interventions which would impact on how spaces are currently appreciated – for example through the creation of a mezzanine floor, the Local Planning Authority consider the level of harm to be less than substantial. Paragraph 208 of the NPPF (2023) therefore applies.

The level of harm has been further minimised through the guiding of more significant changes to 29 King Street (Shakespeare House) which adjoins the Guildhall of St George to the north. 29 King Street is Grade II Listed and therefore of lesser significance overall than the main Guildhall. Guiding the stronger interventions to this area reduces the overall harm caused by the scheme as a whole.

The application proposes wider benefits to the community through allowing the long-term retention of the heritage asset as well as through the various cultural programmes, the economic benefits from the Creative Hub workshop, office spaces and the renovated restaurant space, the educational benefits from the various education programmes and training, and the biodiversity impacts through the use of biodiverse native planting & sustainable building systems. The changes also allow the buildings to be more accessible to those with mobility concerns which may currently restrict access.

Harm to historic fabric of the Guildhall & the surrounding buildings can be further minimised by appropriate conditions relating to detailed drawings of roof changes, detailed specifications of internal changes, and controls over the use of appropriate materials. The Listed Building conditions below would cover details construction techniques and finishes, whilst the planning decision would cover remaining details such as drainage, management plans and landscaping.

It is considered that the scheme would have significant wider benefits to the community that would outweigh the less than substantial harm identified as likely to occur as a result of the works. The scheme has the further broad benefits of ensuring the long-term viable use of the listed buildings across the application site which weighs positively in the planning balance.

Some likely impacts on adjoining properties have been acknowledged throughout this report, primarily relating to the potential for noise and disturbance impacts on the adjoining residential properties at Ferry Lane and Old School Court to the south of the application site. The Borough Council's CSNN team have raised no objection to the principle of the application subject to conditions and the overall impacts on the amenity of adjoining properties are considered acceptable. Further control of impacts on adjoining uses is available through the Council's Licensing procedures and requirements which is separate to planning.

The proposals as a whole would comply with Paragraphs 88, 90, 96, 97, 135, 203-208 of the NPPF (2023), Policies CS03, CS08, CS10, CS12 and CS13 of the Core Strategy (2011) and Policy DM15 of the SADMPP (2016).

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RECOMMENDATION:

(i) 24/01188/F - APPROVE subject to the imposition of the following condition:

- 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 proposed plans listed within the Document Issue Register dated 03/09/2024.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: No development shall commence on site until a surface water management strategy has been submitted to and approved in writing by the Local Planning Authority. The surface water management strategy shall include sufficient information to ensure that the surface water infrastructure is capable of accommodating the proposed discharge rates & any evidence of existing connections as required. No hard-standing areas shall be constructed until the works have been carried out in accordance with the strategy.
- 3 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.
- 4 Condition: Prior to the commencement of any part of the development hereby permitted, an updated Ecological Report shall be submitted to and agreed in writing by the Local Planning Authority. The Report should include any mitigation measures that are to be implemented, and those measures shall be completed in accordance with the agreed details prior to the first use of the development, or in accordance with a timetable to be agreed in writing by the Local Planning Authority.
- 4 Reason: In the interests of protected species and biodiversity, in accordance with the NPPF (2023) and Policies CS08 and CS12 of the Core Strategy (2011).
- 5 Condition: Prior to the first use of the development hereby permitted, full details of a scheme for secure cycle parking shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for secure cycle parking within the Shakespeare Courtyard, or another appropriate part of the site, and shall be installed in accordance with the agreed details prior to prior to the first use of the development hereby permitted and retained and maintained as such thereafter.
- 5 Reason: To ensure that suitable space is provided on site to provide for the storage of staff cycles, to accord with the overarching aims of the NPPF (2023) in regard to sustainable transport and the Local Plan in regard to parking provision.
- 6 Condition: Prior to the installation of any new external plant and equipment, full details of each element (including noise data) and final design details of associated mitigation measures including all acoustic barriers and enclosures shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented as approved and thereafter maintained as such.

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- 6 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP.
- 7 Condition: Noise emitted from plant/machinery/internal performances will not exceed 37dBA at 1m from the façade of the nearest noise sensitive receiver between 19.00hrs to 23.00hrs and will not exceed 32dBA at 1m from the façade of the nearest noise sensitive receiver between 23.00hrs and 07.00hrs as per the details included in the St George's Guildhall Environmental Noise Impact Report dated September 2024.
- 7 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP.
- 8 Condition: Prior to first occupation of the restaurant, full details of filtration equipment to be installed in the restaurant kitchen will be submitted to and approved in writing by the Local Planning Authority. The details shall be implemented as approved before the development is brought into use and thereafter maintained as such.
- 8 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP.
- 9 Condition: Prior to first occupation a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
- 9 Reason: In the interests of protecting the historic significance of the building and its surroundings, and in the interests of the Kings Lynn Conservation Area and protected species, in accordance with the NPPF (2023), Policies CS12 and DM15 of the SADMPP (2016).
- 10 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.
- 10 Reason: To ensure that the agreed landscaping details are completed to a reasonable standard within a reasonable period, to ensure a suitable external appearance in accordance with the NPPF (2023) and Policies CS08 and DM15 of the Local Plan.
- 11 Condition: Notwithstanding the details which accompanied this application, prior to the installation of any new gates associated with the development hereby permitted, full details of their design, materials, size, and construction shall be submitted to and approved by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

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- 11 Reason: In the interests of protecting the historic significance of the building and its surroundings, and in the interests of the Kings Lynn Conservation Area, in accordance with the NPPF (2023), Policies CS12 and DM15 of the SADMPP (2016).
- 12 Condition: Demolition, construction, or development work, along with collections and deliveries of waste products, material, and equipment, shall only be carried out between 0800hrs and 1800hrs weekdays, and 0900hrs and 1300hrs on Saturdays, with no work allowed on Sundays and Bank/Public Holidays.
- 12 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties during construction, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP.
- 13 Condition: Prior to commencement development a detailed construction management scheme must be submitted to and approved by the Local Planning Authority. This must include the following information:
- proposed timescales of the demolition and construction phases, and any piling.
 - full details of the techniques, noise and vibration data, and location of any piling which is due to take place.
 - a description and location of any fixed machinery and the sound power levels.
 - the location and layout of any contractor compound, the location of contractor parking
 - the location and layout of the materials storage area, machinery storage area and waste & recycling storage area.
 - full details of the proposed attenuation and mitigation methods to protect residents from noise and vibration, dust, and litter (including proactive monitoring to identify issues)
 - details of how complaints from members of the public will be investigated and resolved
 - communication methods to the wider community regarding the construction phases and likely disruptions.

The scheme shall be implemented as approved for the duration of works.

- 13 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties during construction, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP. This needs to be a pre-commencement condition due to the potential for adverse impacts from the outset.
- 14 Condition: Prior to the first use of any part of the development hereby approved, an Operational Management Plan shall be submitted to and agreed in writing by the Local Planning Authority. The management plan should include:
- The proposed opening hours and hours of operation for each area of the site
 - The measures to be put in place to protect residential amenity.
 - Timings of use for the exit to Ferry Lane, and a mechanism for controlling and monitoring this
 - An identified process to manage and address complaints about the site's operation, should they arise.
 - Details of a process for the review of the Operational Management Plan.

The development shall be operated in full accordance with the management plan approved.

- 14 Reason: In the interests of the amenities of the locality and to prevent significant adverse impacts on the residential amenities of adjoining properties, in accordance with the NPPF (2023) and Policy DM15 of the SADMPP.

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- 15 **Condition:** No development shall take place until an archaeological written scheme of investigation has been submitted to and approved by the local planning authority in writing. The scheme shall include an assessment of significance and research questions; and 1) The programme and methodology of site investigation and recording, 2) The programme for post investigation assessment, 3) Provision to be made for analysis of the site investigation and recording, 4) Provision to be made for publication and dissemination of the analysis and records of the site investigation, 5) Provision to be made for archive deposition of the analysis and records of the site investigation and 6) Nomination of a competent person or persons/organization to undertake the works set out within the written scheme of investigation.
- 15 **Reason:** To safeguard archaeological interests in accordance with the principles of the NPPF and Policy CS12 of the Core Strategy (2011).
- This needs to be a pre-commencement condition given the potential impact upon archaeological assets during groundworks/construction.
- 16 **Condition:** No development shall take place other than in accordance with the written scheme of investigation approved under condition 15.
- 16 **Reason:** To safeguard archaeological interests in accordance with the principles of the NPPF and Policy CS12 of the Core Strategy (2011).
- 17 **Condition:** 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 15 and the provision to be made for analysis, publication and dissemination of results and archive deposition has been secured.
- 17 **Reason:** To safeguard archaeological interests in accordance with the principles of the NPPF and Policy CS12 of the Core Strategy (2011).
- 18 **Condition:** The Biodiversity Gain Plan shall be prepared in accordance with the Statutory Metric dated 20 June 2024 and prepared by Ryan Clarke.
- 18 **Reason:** For the avoidance of doubt and in the interests of providing net gains for biodiversity, in accordance with the NPPF (2023) and Policies CS08 and CS12 of the Core Strategy (2011).

(ii) 24/01189/LB - APPROVE subject to the following condition(s):

- 1 **Condition:** 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 three years 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 **Condition:** This Listed Building Consent relates only to works specifically shown on the approved drawings listed below. Any other works which may require Listed Building Consent that become apparent once work has started, are not covered by this consent and details

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must be submitted to the Council as Local Planning Authority and approved in writing, before work continues:

All works shall be carried out in accordance with the most recent documents as shown on the Document Issue Register dated 3rd September 2024.

- 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 Condition: 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 Condition: Prior to the raising of the relevant roofs, sections and drawings at a scale of 1:20, showing full details of all materials as well as a schedule of materials which can be re-used in the works, shall be submitted to and approved in writing by the Local Planning Authority. The development should then be undertaken in accordance with the approved plans.
- 4 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 5 Condition: Prior to any changes to the dormer windows, 1:20 drawings showing the changes required following the raising of the roof on the Old Warehouse, shall be submitted to and approved in writing by the Local Planning Authority. The dormer windows shall be constructed in accordance with the approved details.
- 5 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 6 Condition: Prior to above ground development (excluding demolition) taking place, a specification of the mortar to be used in all repair works and new works shall be submitted to and approved in writing by the local planning authority. The works should then be undertaken in accordance with the approved plans.
- 6 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 7 Condition: Prior to the commencement of any above ground works (excluding demolition), details of the external materials of all new elements including but not exclusive of the toilets, and all new walls, fences and gates attached to the Listed Building, shall be submitted to and approved by the local planning authority. The development should then take place in accordance with the approved details.
- 7 Reason: To ensure that the materials are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 8 Condition: Prior to its erection, full drawings at a scale of 1:20 and full details of the link building between the Guildhall, Red Barn and Warehouse Range including its materials, construction and proposed method of joining to the existing buildings, shall be submitted to

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and approved in writing by the local planning authority. The development should then take place in accordance with the approved details.

- 8 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 9 Condition: Prior to the relevant windows or doors being replaced or repaired, 1:20 drawings of the new and/or replacement windows or doors as well as a schedule of repair if required, for any relevant windows and doors, shall be submitted to and approved in writing by the Local Planning Authority. The works should then be carried out in accordance with the approved plans.
- 9 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 10 Condition: Full details of all extractor vents, heater flues and soil pipes including their design and location shall be submitted to and approved in writing by the Local Planning Authority prior to installation. Installation shall be carried out in accordance with the approved details.
- 10 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 11 Condition: Prior to their installation, full details of the proposed solar panels on the White Barn, White Barn Annexe and the Old Warehouse, shall be submitted to approved in writing by the local planning authority. The work shall then be carried out in accordance with the approved details.
- 11 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 12 Condition: Prior to its installation, full details and specifications of the works required to both the existing roof of the Guildhall and the Crown Post in order to erect it in the position shown on the approved plans, is to be submitted to and approved in writing by the local planning authority. The works should then be undertaken in accordance with the approved plans.
- 12 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 and Policies CS12 and DM15 of the Local Plan.
- 13 Condition: Prior to its installation, full details of the Guildhall gallery seating including its fixing to the walls and floor of the building and its final appearance shall be submitted to and approved in writing by the local planning authority. The works should then take place in accordance with the approved plans.
- 13 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 14 Condition: Prior to the works being carried out, full details and a specification of works indicating how the ceiling of St George's Passageway shown on drawing number STGG-HTL-ZZ-ZZ-DR-A-00-00203-P P02 is to be raised, shall be submitted to and agreed in writing by the local planning authority. The works should then take place in accordance with the agreed details.

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- 14 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.
- 15 Condition: Prior to the works being undertaken, full details of the extension to 29 King Street and the method of joining it to the Guildhall, shall be submitted to and approved in writing by the local planning authority. The work should then be undertaken in accordance with the approved details.
- 15 Reason: To ensure that such details are in keeping with the Listed Building in accordance with the principles of the NPPF and Policies CS12 and DM15 of the Local Plan.

GUILDHALL OF ST GEORGE

Official list entry

Heritage Category: **Listed Building**

Grade: **I**

List Entry Number: **1290960**

Date first listed: **01-Dec-1951**

Date of most recent amendment: **26-Jul-1993**

List Entry Name: **GUILDHALL OF ST GEORGE**

Statutory Address 1: **GUILDHALL OF ST GEORGE, KING STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

For these purposes, to be included within the curtilage of the building, the object or structure must have formed part of the land since before 1st July 1948.

[Understanding list entries](https://historicengland.org.uk/listing/the-list/understanding-list-entries/) (<https://historicengland.org.uk/listing/the-list/understanding-list-entries/>)

[Corrections and minor amendments](https://historicengland.org.uk/listing/the-list/minor-amendments/) (<https://historicengland.org.uk/listing/the-list/minor-amendments/>)

Location

Statutory Address: **GUILDHALL OF ST GEORGE, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61618 20224**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/104 (West side) 01/12/51 Guildhall of St George (Formerly Listed as: KING STREET St.George's Hall)

GV I

Guildhall for the Guild of St George, now a theatre and restaurant. Founded 1376, granted charter 1406, constructed 1410-1420. Various theatre and warehouse functions from mid C16, restored 1948-51 by Marshall Sisson and passed to The National Trust. Brick with ashlar dressings and plaitile roof. Rectangular range running west with the gable-end to the road. 2 storeys. Facade has one 4-centred doorway right and left with hood moulds on label stops, the arches and jambs double-chamfered with a hollow separating the chamfers. The doors are 1949. Between them is a blocked doorway now used as a display case. Above is a 6-light double-transomed panel tracery window with arches to the upper transom lights and the window head, all much restored. Gabled roof. Facade closed to either side by polygonal corner turrets stepping up to the eaves, now encased by adjoining buildings, that to the south virtually disappeared. North and south flanking walls supported on stepped buttresses, those to the north repaired in C18 and C19, those to the south repaired C20. Pedestrian arches cut through both sets, the northern ones allowed a town drain to flow alongside the hall. On the north side the 2-light mullioned brick windows lighting the warehouse undercroft remain, one between each buttress, but to the south they have been largely obliterated by later alterations and new building. Four 3-light transomed windows to north side at first floor level, one between each buttress, with arched lights: these light the great hall. The eastern bay is lit through a 3-light mullioned window, c1950. The south side retains 2 similar transomed windows and has various C20 fire escape doors, stairs and other impedimenta. The western gable head has

additions of 1948 at first floor level, and earlier buildings about the ground floor. INTERIOR. Internal disposition comprises a passageway to the south running the whole length of the building, entered from the corresponding doorway in the facade. The other doorway opens into the C20 foyer and leads to a flight of steps on the north side descending into the undercroft, now a restaurant. Against the east wall of the foyer is a C20 staircase in C17 style rising to the great hall itself. The south passage has various doorways cut through the brick wall to the north side serving the undercroft and rehearsal rooms to the west end, all of post C16 date. On its south side are C20 toilet facilities which have blocked mullioned windows formerly lighting the passage. The original function of the passage was to provide access to the rear and the river. Heavy bridging beams support very wide floorboards, some of the beams shaved to increase headroom. The foyer has C20 detailing except for a wave-moulded bridging beam running north-south and 2 chamfered bridging beams running east-west, set higher up. The undercroft originally had a flat timber ceiling supported on heavy bridging beams, part of which exists to the east end. This replaced in early C18 with a brick elliptical vault. The guildhall on the first floor is now ramped up at the east end and fitted with seating. Multiple-roll moulded wall plates supporting ashlar and a scissor-braced roof of 61 trusses. The external buttresses removed the need for tie-beams and King-posts. This is said to be the largest complete medieval guildhall in England. Scheduled Ancient Monument.

Listing NGR: TF6161820224

Legacy

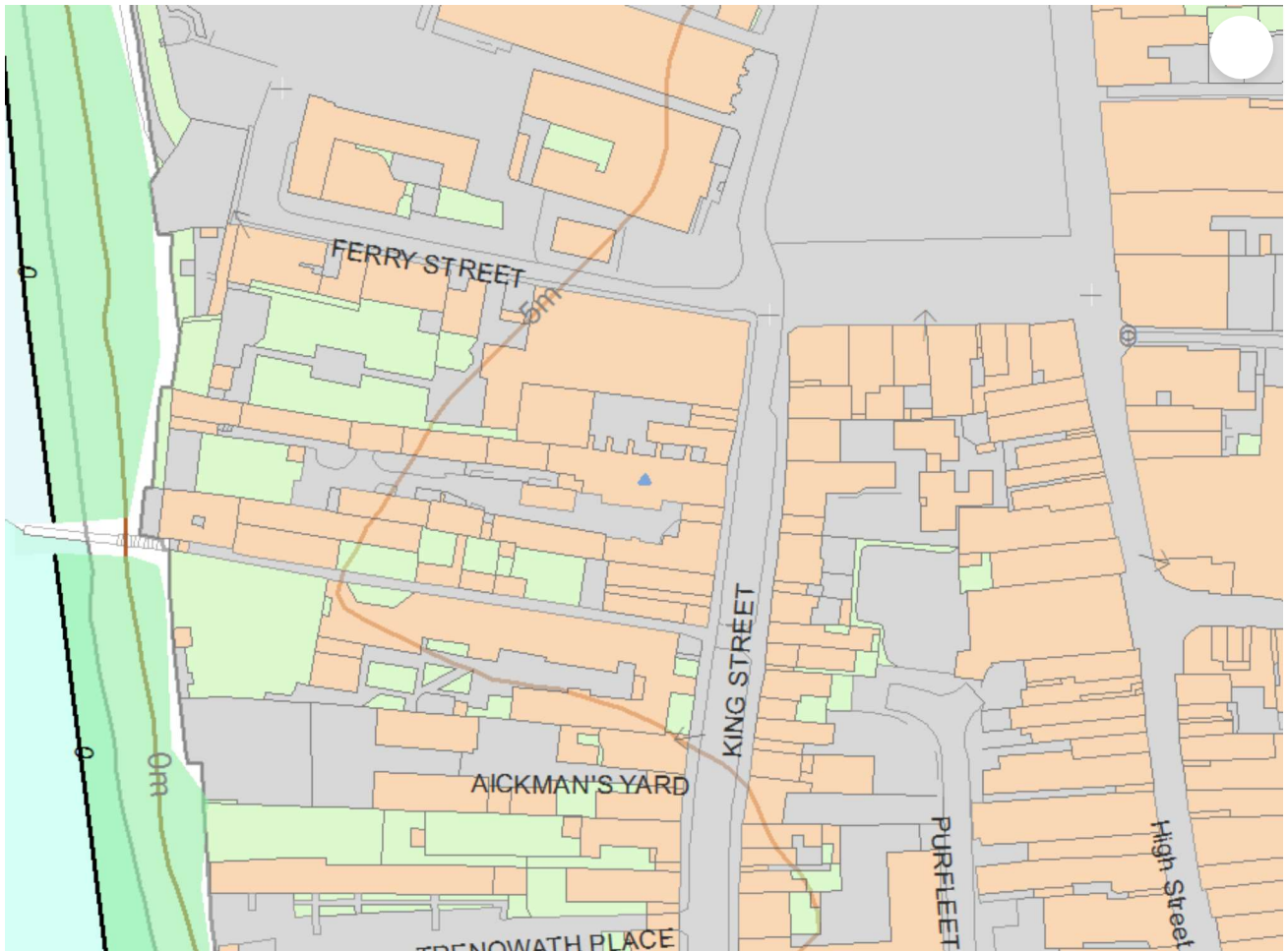
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Legacy System number: **384174**

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Legal

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KING'S LYNN CENTRE FOR THE ARTS AND KING'S LYNN PLAYERS REHEARSAL ROOMS

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1220487**

Date first listed: **01-Dec-1951**

Date of most recent amendment: **26-Jul-1993**

List Entry Name: **KING'S LYNN CENTRE FOR THE ARTS AND KING'S LYNN PLAYERS REHEARSAL ROOMS**

Statutory Address 1: **KING'S LYNN CENTRE FOR THE ARTS AND KING'S LYNN PLAYERS REHEARSAL ROOMS, KING STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

Unless the List entry states otherwise, it includes both the structure itself and any object or structure fixed to it (whether inside or outside) as well as any object or structure within the curtilage of the building.

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Location

Statutory Address: **KING'S LYNN CENTRE FOR THE ARTS AND KING'S LYNN PLAYERS REHERSAL ROOMS, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61570 20232**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/105 (West side) 01/12/51 King's Lynn Centre for the Arts and King's Lynn Players Rehearsal Rooms (Formerly Listed as: KING STREET (West side) St George's Hall)

GV II

Formerly known as: Fermoy Centre KING STREET. Range of warehouses extending from the rear of St George's Guildhall towards river. Gabled ranges attached as river bank receded to west. East end c1420 on completion of Guildhall, west end probably late C15. Much rebuilding since disguises age of western parts. Mainly brick with pantiled roofs. 2 storeys. The eastern portion itself occupies 2 distinct builds, the east part with coursed ashlar to ground floor of early C15, pierced by 3 large doorways. C16 brick above rapidly gives way to C18 and C20 brick to first floor. 5 metal C20 leaded casements to first floor. Gabled roof. West of this is a later range almost entirely rebuilt early C18 in English bond brickwork. C20 door to right under canvas awning. 2 storeys. Fenestration of C20 bottom-hung casements. Gabled roof continues. Rehearsal rooms continue same theme. One 3-light lap-glazed ground-floor window, and a 5-light one above. Gabled roof continues.

Listing NGR: TF6157020232

Legacy

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RIVERSIDE ROOMS RESTAURANT INCLUDING WATERGATE

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1298185**

Date first listed: **01-Dec-1951**

Date of most recent amendment: **26-Jul-1993**

List Entry Name: **RIVERSIDE ROOMS RESTAURANT INCLUDING WATERGATE**

Statutory Address 1: **RIVERSIDE ROOMS RESTAURANT INCLUDING WATERGATE, KING STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

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Location

Statutory Address: **RIVERSIDE ROOMS RESTAURANT INCLUDING WATERGATE, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61517 20240**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/106 (West side) 01/12/51 Riverside Rooms Restaurant including Watergate
(Formerly Listed as: KING STREET (West side) St George's Hall)

GV II

Range of warehouses attached to gable-end of eastern warehouse as river receded west. Late C15. Long rectangular single-storeyed range. Brick with roof of machine tiles. South flank rebuilt C17 and C18, altered C20. Pierced at intervals by C20 windows and doors. Gabled roof. North flank undisturbed late C15 English bond brick which continues into west gable, but with much repair. C20 window in gable-head. Brick wall continues south along present river line and contains a blocked entrance with a chamfered brick arch. This is the former watergate which would have opened directly into a warehouse, suggesting that the restaurant warehouse was much wider until narrowed in the C17. INTERIOR. Roof of re-used cambered tie beams. 2 tiers staggered butt purlins, taper-tenoned. Renewed collars, i.e. mid C18.

Listing NGR: TF6151720240

Legacy

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Legacy System number: **384177**

Legal

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SHAKESPEARE HOUSE

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1220443**

Date first listed: **01-Dec-1951**

Date of most recent amendment: **26-Jul-1993**

List Entry Name: **SHAKESPEARE HOUSE**

Statutory Address 1: **SHAKESPEARE HOUSE, 29, KING STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

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Location

Statutory Address: **SHAKESPEARE HOUSE, 29, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61636 20232**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/95 (West side) 01/12/51 No.29 Shakespeare House (Formerly Listed as: KING STREET (West side) No.29 Shakespeare House)

GV II

Formerly known as: The Shakespeare PH KING STREET. Late C15 hall house on the L-Plan, later public house, now offices. Hall floored C17, red brick skin late C18, further skin to north part early C19 in brown brick when front at this point built out. C15 fabric of brick with timber partitioning. Facade in 2 parts. Single-bay late C18 south part on original wall-plane through 2 storeys. 5-light restored mullioned ground-floor window. One late C18 sash to first floor with glazing bars and a gauged skewback arch, and a blind panel in tall parapet which conceals roof. Main part to north projects. 2 storeys, formerly 3. Central carriage entrance leads through timber-framed passage to rear. Doorway to front office cut through at street side to south, original entrance now leads into staircase hall at rear to south. On facade passageway is flanked by one 3-light renewed cross casements each side, that to north smaller. Two C20 casements to first floor. Gabled roof with 3 glass lights. Stack emerges through front roof slope towards south end. Carriage passageway emerges under a 2-storey gabled cross wing to north of small courtyard. Hall range is longer and forms south side of this court. 6-light ovolo-mullioned transomed hall window to ground floor, with King mullion, mostly blocked. One mid C18 flush-frame sash to left with glazing bars and 2 similar above. Other C20 windows scattered about. INTERIOR. Ground floor front has a heavy chamfered bridging beam with mortices for arched braces and closely spaced joists. Remainder of ground floor has little of interest. Inserted staircase leads to first floor and a tie beam on which rests a single octagonal crown post with moulded base and capital. Crown purlin missing, but it had braces to the crown post. No mortice

holes for braces to collar identified. Front roof is a C20 replica of a clasped purlin structure. Roof of hall range not accessible.

Listing NGR: TF6163620232

Legacy

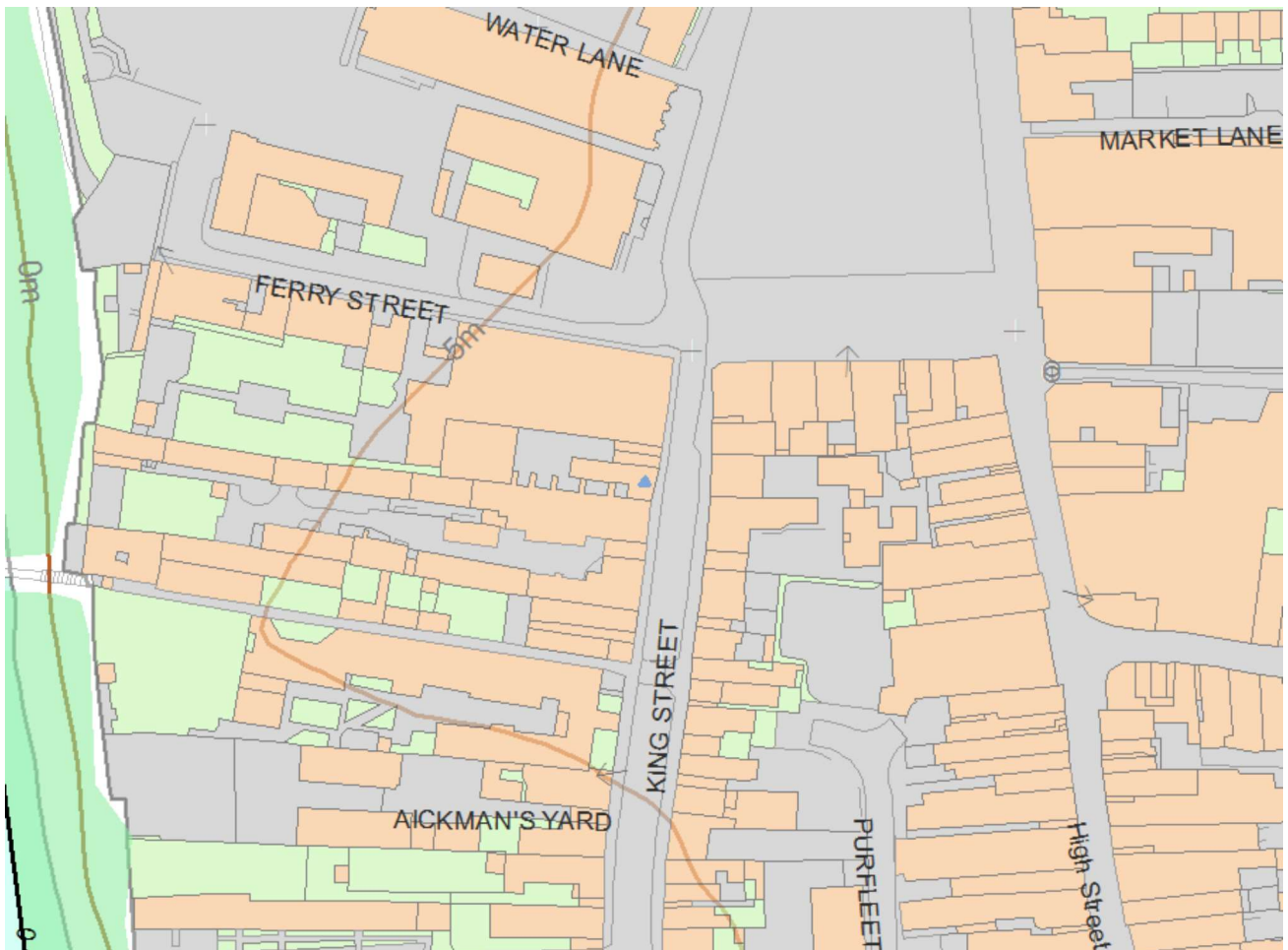
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Legacy System number: **384166**

Legacy System: **LBS**

Legal

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THE RED BARN, IMMEDIATELY SOUTH WEST OF THE GUILDHALL IN COURTYARD

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1195294**

Date first listed: **26-Jul-1993**

List Entry Name: **THE RED BARN, IMMEDIATELY SOUTH WEST OF THE GUILDHALL IN COURTYARD**

Statutory Address 1: **THE RED BARN, IMMEDIATELY SOUTH WEST OF THE GUILDHALL IN COURTYARD, KING STREET**

This List entry helps identify the building designated at this address for its special architectural or historic interest.

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Location

Statutory Address: **THE RED BARN, IMMEDIATELY SOUTH WEST OF THE GUILDHALL IN COURTYARD, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61595 20220**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/103 (West side) The Red Barn, immediately SW of The Guildhall in courtyard

GV II

Barn or general storehouse. Early C16, but much altered and patched. Brick with pantile roof. Rectangular and free-standing. One storey. On south side in a patch of original brickwork is an 8-light diamond-mullioned timber window with a King mullion. Half is bricked over, the other half blocked. North side mainly C18 brickwork. Hipped roof. INTERIOR. Roof of tie beams, nailed clasped purlins and collars.

Listing NGR: TF6159520220

Legacy

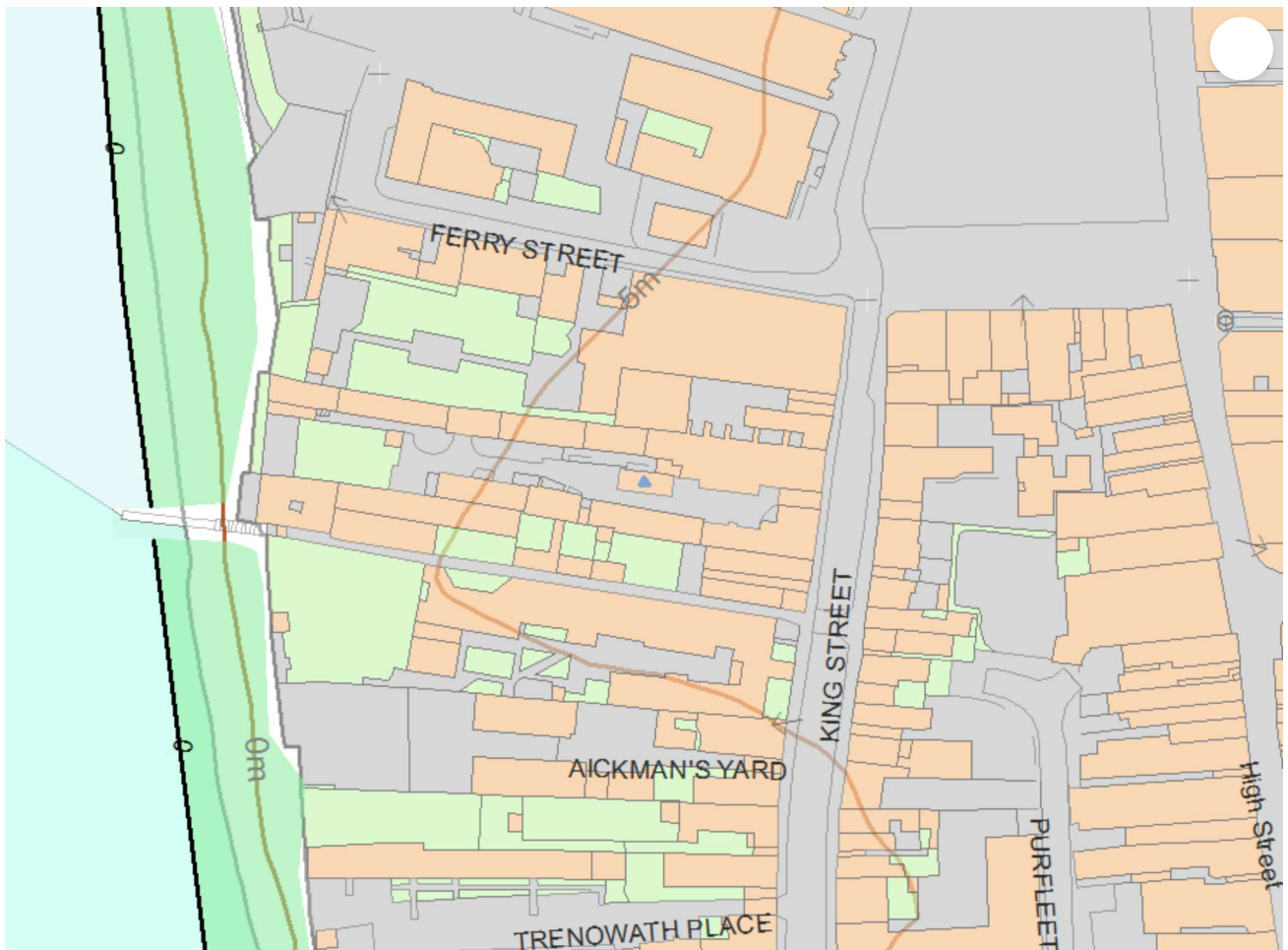
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Legacy System: **LBS**

Legal

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THE WHITE BARN

Official list entry

Heritage Category: **Listed Building**

Grade: **II**

List Entry Number: **1291011**

Date first listed: **07-Jun-1972**

Date of most recent amendment: **26-Jul-1993**

List Entry Name: **THE WHITE BARN**

Statutory Address 1: **THE WHITE BARN, KING STREET**

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Location

Statutory Address: **THE WHITE BARN, KING STREET**

The building or site itself may lie within the boundary of more than one authority.

County: **Norfolk**

District: **King's Lynn and West Norfolk (District Authority)**

Parish: **Non Civil Parish**

National Grid Reference: **TF 61604 20209**

Details

KING'S LYNN

TF6120SE KING STREET 610-1/7/93 (West side) 07/06/72 The White Barn (Formerly Listed as: KING STREET Barn at rear of No 27)

GV II

Barn or granary, now partly converted to a gallery. Mid C16 with a later re-skinning. Brick. Roof of black glazed pantiles. Facade is to north. 2 storeys. C20 door left of centre with a grill window each side. Above to the left is a blocked loading door, in centre of first floor is a shuttered 2-light mullioned window, and a further loading door right again, next to a C18 sloping brick buttress with tumbling. Gabled roof. East gable has a timber wall plate.

INTERIOR. Floor excavated. C20 brick partition wall to west end. Roof of tie beams, 2 tiers butt purlins, the lower tier nailed, the upper clasped between principals and collars. Many renewed timbers.

Listing NGR: TF6160420209

Legacy

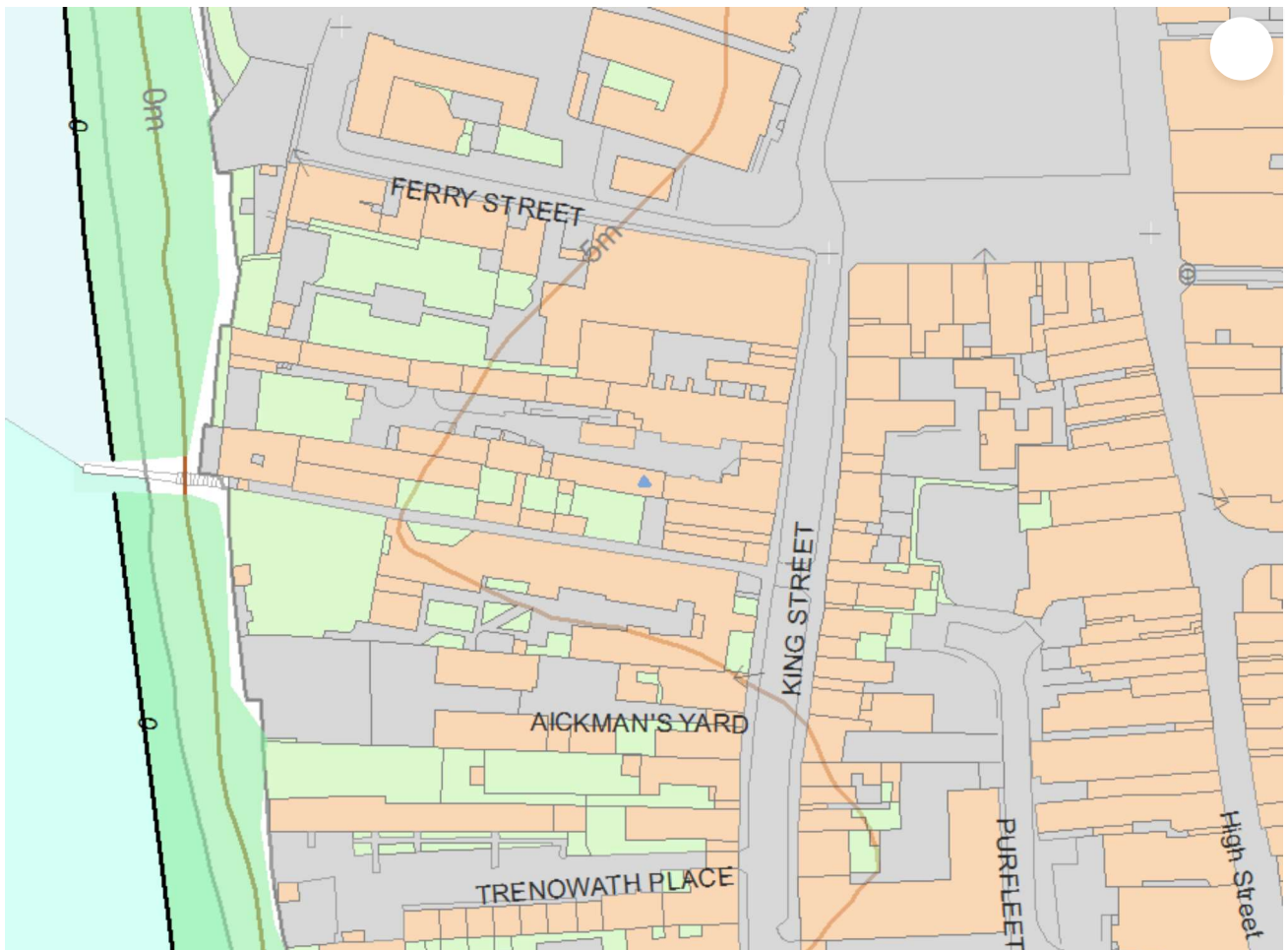
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Parish:	Syderstone	
Proposal:	Proposed detached single storey outbuilding to provide accommodation for disabled son	
Location:	21 The Broadlands The Street Syderstone KINGS LYNN PE31 8ST	
Applicant:	Mr and Mrs D Chapman	
Case No:	24/01316/F (Full Application)	
Case Officer:	Mrs Rebecca Bush	Date for Determination: 13 September 2024 Extension of Time Expiry Date: 11 October 2024

Reason for Referral to Planning Committee — Called in by Cllr Morley

Neighbourhood Plan: No

Case Summary

The application relates to 21 The Broadlands, The Street, Syderstone seeking full planning permission for a proposed detached single storey outbuilding to provide accommodation for applicants disabled son.

This dwelling is located within the development boundary of Syderstone.

The area accommodates a mixture of properties from brick, stone and render which range from two storey dwellings to chalet style dwellings. No 21 The Broadlands is part of a row of semi-detached dwellings with steps leading up to small front gardens. The dwellings all have pitched roofs and set back from the road. The application dwelling currently follows these main characteristics of the dwellings but with different materials.

The site is located within flood zone 1 and climate (surface water).

Key Issues

Principle of Development
Design and Impact
Impact on Neighbour Amenity
Crime and Disorder
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The site lies to the north of The Street in Syderstone which is a rural village, and the dwelling is within the development boundary. The site is situated between a row of semi-detached dwellings at a higher level than the road. The site is opposite what was The Lynn Arms Public House and two storey dwellings.

No 21 The Broadlands is a two-storey dwelling which is constructed in brick with a stone and brick front gable. The dwelling has upvc brown framed windows with a diamond pattern window pane as opposed to white upvc windows used in the immediate area. The property has a dark pantile roof with four rooflights to the rear. The property has an extension to the rear of the property which is also constructed in brick with matching pantiles.

This dwelling used as a family home has a current rear extension, a gazebo, climbing frame, summer house, boiler room and caravan within the rear garden. The rear garden is approximately 210m². The application is part of an ongoing project required by the clients to address the accessibility needs of the applicant's son.

In 2018 an application was submitted under the prior approval process for a single storey rear extension. However, once built there was still an issue of accessibility to the rear garden area and out to the front of the house due to the steps leading up to the garden and down to the street.

Given these issues an application was submitted in 2023 for a proposed single storey extension to the rear for further accommodation to make moving around the site more accessible out to the rear. This application was refused due to the close proximity and overbearing effect it would have on the neighbour to the east.

This proposal is for a proposed two bedroom and one wet room single storey outbuilding within the rear garden area to replace the caravan which is currently there.

SUPPORTING CASE

No supporting case has been received at time for writing.

PLANNING HISTORY

23/01603/F - Proposed Single Storey Extension to Rear to provide accommodation for disabled son. Refused 07.06.2024.

18/00402/PAGPD - Single storey rear extension which extends beyond the rear wall by 5.7 metres with a maximum height of 3 metres and a height of 2.7 metres to the eaves. Not required 12.04.2018.

Planning Committee
7 October 2024

ENFORCEMENT HISTORY

23/00223/UNAUTU - Alleged unauthorised use of a barbers in garage. Case Closed.

23/00613/UNOPDE - Alleged Unauthorised Operational Development of a climbing frame. Case Closed.

RESPONSE TO CONSULTATION

Parish Council: OBJECT for the following reasons:

- Overdevelopment of the site due to its size and location. The garden area is relatively small, and the addition of this large structure would result in a significant reduction in the available open space. Disproportionate to the size of the garden which would create a cramped and congested appearance.
- Negatively affecting the visual amenity of neighbouring properties.
- This is not in keeping with the character of the surrounding area, where rear gardens are predominantly open and green.
- The height and proximity of the proposed outbuilding to the boundaries of neighbouring properties would lead to unacceptable overshadowing and a significant loss of natural light to the adjacent gardens and rear-facing rooms. This impact is particularly concerning for the immediate neighbouring properties where the reduction in daylight would detrimentally affect the enjoyment of their homes and gardens.
- Likely to have a negative impact on the residential amenity of neighbouring properties due to its scale and bulk. The outbuilding's presence would result in an oppressive and overbearing sense of enclosure for adjacent properties, detracting from the enjoyment of their gardens. This contravenes local planning policies that aim to protect the living conditions and quality of life for existing residents.
- Concerns regards the repeated submissions of planning applications for this same purpose. The applicant has previously submitted similar applications, which have been refused, and there is a history of enforcement issues related to unauthorised development at this site. This pattern of behaviour may suggest an attempt to circumvent the planning process and raises doubts about the applicant's commitment to comply with planning regulations. The continual resubmission of similar applications puts an undue burden on local resources and undermines confidence in the planning system. The Parish Council would urge the authority to consider this history when making its decision.
- There is a concern that the proposed outbuilding could be used in the future as a standalone business or holiday let. The size and self-contained nature of the building make it suitable for such use, which would not be appropriate for this residential area. The introduction of a commercial enterprise in a residential garden would increase noise, traffic, and general disturbance, adversely affecting the quiet enjoyment of neighbouring properties. Furthermore, the use of the outbuilding as a holiday let would likely lead to a transient population, further disrupting the character and community spirit of the area. The Parish Council would ask that the planning authority seek assurances or impose conditions that prevent any future use of the outbuilding as a commercial property.

Planning Committee
7 October 2024

- The site layout plan that accompanies the planning application is incorrect as it fails to depict the access walkway (right of way) to the rear of the properties at The Broadlands. This forms part of the Title Deeds to each of the properties and is a shared access which all property owners share a combined responsibility for.
- The actual gated access to this property is adjacent to the block of garages that back onto 21 The Broadlands. The shared access has however been both fenced and locked by the applicants and the walkway no longer able to be used. The Parish Council have requested that the planning application be 'called in' by Borough Councillor Chris Morley so that it can be considered by the planning committee. We would ask that very careful consideration is given to the planning application and that a site meeting is conducted by the Planning Committee ahead of the proposed meeting.

REPRESENTATIONS

EIGHT public comments were received from six contributors all **OBJECTING** to the proposed development. The comments can be summarised as:

- The site layout plan submitted is incorrect as it does not show the access walkway that has subsequently been fenced and gated by the occupants of No 21. It is shown on the proposed lay out plan but on the building layout suggests this walkway is the access to the property which is incorrect. The actual gated access to this property is adjacent to the block of garages that back onto No21 site.
- There is no plan to depict where the services will run to this outbuilding i.e. provision of water, power & a drainage plan for rain & foul water.
- Extended garden and proposal encroaching on the access path at the rear used also by the neighbours.
- Starter a barber shop / hairdressers within the garage.
- Road already damaged, very narrow for construction traffic. Homeowners would have to pay for any repairs.
- No parking of caravans allowed under title deeds.
- What will the main construction of the outbuilding be, Block and clad? Timber and clad? Concrete base with footings? All of these could cause massive disruption to the neighbourhood during construction due to contractor and delivery vehicles and equipment. Where will building materials be stored during construction?
- Overdevelopment of this site which will have an impact on the neighbourhood. Many other structures to the rear of the property.
- Could be turned into holiday let.
- Already is an extension for the disabled son to the ground floor with wet room.
- Going from a four bed dwelling to possibility a 8 bed dwelling with all the building works including the loft and downstairs area and the outbuildings. Is this to be an HMO?
- Ramp was to be used under 18/00402/PAGPD.

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- Causing disturbance and maintenance to the road.
- The length, depth and distance of the proposal would be an issue.
- Large extension that was built incorrectly causing an Enforcement notice to be placed that took months to rectify. It is my opinion that this has not been fully rectified as the cladding used does not appear to be fire retardant material and as it is within 1m of my boundary, I believe should be following the Grenfall disaster. I have raised this issue before and still await a response from KL planning dept. As well as this large extension there is on site a boiler house, BBQ gazebo, a large outbuilding, a caravan & a large tall climbing frame that actually touches my boundary fence that was re-erected back at this location as a temporary measure for repair about a year ago.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

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 consideration in the determination of this application are:

Principle of Development
 Design and Impact
 Impact on Neighbour Amenity
 Crime and Disorder
 Other Material Considerations

Principle of Development:

The site lies within the development boundary of Syderstone, and the development is for a proposed accessible single storey outbuilding to provide ancillary accommodation for the occupants of the dwelling.

Outbuildings within the curtilage of dwellings are acceptable in principle, providing their impact is acceptable.

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This development would have to accord with relevant national and local planning policy and guidance. Development Plan Policies to be considered are CS01, CS02, CS06, CS08, DM15 and DM17.

Design and Impact:

Policy CS06 of the Core Strategy states the development must maintain local character and a high-quality environment and must promote sustainable communities and sustainable patterns of development to ensure strong, diverse, economic activity. Additionally, Policy CS08 of the Core Strategy and DM15 of the SADMPP aims to achieve high standards, sustainable design and to respond sensitively and sympathetically to the local setting.

The application for the proposed single storey outbuilding would replace a caravan which has been placed on site and is being used, it is understood as living accommodation by the carer. The outbuilding would be 8m long by 5m wide and to a height of 3.4m with a flat roof. The proposal would be constructed in natural cedar/timber horizontal cladding, with anthracite grey upvc windows and door frames.

The purpose of the outbuilding is for it to be used for ancillary accommodation, likely for the son and a carer. The height of the outbuilding would help accommodate a hoist. The outbuilding is to the rear of the dwelling within the garden (higher level) so on a more appropriate level to the garage/access.

The Parish Council states that the proposed development would result in an overdevelopment of the site and would adversely affect the visual amenities of the locality. The dwellinghouse and the existing rear extension measures around 80m². The gazebo measures 14m², the summer house is 18m² and the new building would measure 38m². The overall curtilage of the site measures approx. 400m² and therefore the outbuildings would not create a situation where there was development over 50% of the overall curtilage of the property.

The LPA considers there would be little harm to the character of the area due to the main dwelling screening the proposal from the street scene, complying with CS06. Materials are considered acceptable with a good design and would therefore be appropriate, responding sensitively and sympathetically to the area (DM15).

The application would therefore accord with Policies CS06 and CS08 of the Core Strategy and Policy DM15 of the SADMPP.

Impact on Neighbour Amenity

Under para 135f of the NPPF 2023 development must have a high standard of amenity for existing and future users.

DM15 of the SADMPP states, "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."

The outbuilding would be 1.1m from the neighbour to the west and 1.3m from the neighbour to the east. From the boundary, there are no neighbours to the north and south. The outbuilding would be located to the rear of the garden a good distance from the main dwellings along The Street. However, the outbuilding would be situated on higher ground as there are steep steps to the garden. There was the potential for some overlooking from the

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front elevation to the rear of the main dwellings given the higher level, however with a distance of approx. 27m between the outbuilding and the rear of the neighbouring dwellings, and the existing outbuildings in between, there would be minimal impact.

The outbuilding is set in from the north, east and west boundaries by over 1m. The outbuilding is 3.4m high with a flat roof. Most of the limited overshadowing would be to the access pathway and fields behind. The gardens to Nos 21, 22 and 23 are very long and narrow so there would be no overshadowing or loss of light to any of these dwellings. Slight overshadowing may occur to the rear garden of No 22 at the later part of the day, however, this would be to the bottom of the garden.

Given the above, the application would comply with Policy DM15 of the SADMPP and Para 135f of the NPPF 2023.

Crime and Disorder: There are no specific crime and disorder issues arising from the proposed development.

Other Material Considerations:

Parking: There are concerns from the neighbours regarding the parking of the cars. This is not a new dwelling however and given there are already three - four or more bedrooms 3 car parking spaces are required. These two additional bedrooms would not require any further parking and therefore the application would accord with Policy DM17 of the SADMPP.

Issues regards the road: There are concerns from the neighbours regarding the adjacent access road. They have stated it is already damaged, would be very narrow for construction traffic and that homeowners would have to pay for any repairs. However, this would be a highways matter/civil matter and would not be a planning material consideration.

Enforcement Issues: With regards to Planning Enforcement it appears there are concerns from the Parish Council and the neighbours regarding various issues that have occurred on site over time, including the access route to the rear of the site, garage changing to a barbers' shop, a climbing frame and the caravan. The Enforcement Team are aware of all these issues which are not associated with this proposal and have or are being dealt with separately.

Existing application 18/00402/PAGPD – This prior approval application was permitted in 2018, however, it was not built fully in accordance with the approved plans. After discussions with the Enforcement Team it has been confirmed that the issues have now been rectified to the satisfaction of the LPA.

Potential use of a holiday let: As stated above there are concerns this application would be turned into a holiday let. A condition would be added to the report to only be used by the occupier.

House of Multiple Occupancy (HMO): The proposed development is for extensions to an existing dwellinghouse. The application is not for an HMO. If the dwelling were to be converted to an HMO it would either have to fall within permitted development provisions or would require a formal application.

Services and fire issues: - These would be agreed by Building Regulations.

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.

CONCLUSION

This is a small-scale ancillary outbuilding to be used in conjunction with the main dwelling. The outbuilding is not self-contained however does have a wet room which we assume will need to be connected to waste and water supply. It is therefore considered to represent ancillary accommodation, and so would fall outside of permitted development rights.

The location of the outbuilding would not affect the locality and would not adversely affect the neighbouring properties. It is not an unusual form of development within the curtilage of a dwelling and would be acceptable in its own rights.

The outbuilding would be to a higher level than the main dwelling but at the rear, and therefore there would be minimal impact to the street scene. The outbuilding is also constructed in appropriate materials and would not detract from residential amenity. Given the above, the application is considered to accord with Policies CS06 and CS08 of the Core Strategy and Policy DM15 of the SADMPP and Para 135f of the NPPF 2023. The proposal is therefore recommended for approval subject to the imposition of appropriate conditions to suitably control the use.

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.

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- 2 Condition: The development hereby permitted shall be carried out in accordance with the following approved plans:
- Location Plan.
 - Proposed Plans - 1439/05.
- 2 Reason: For the avoidance of doubt and in the interests of proper planning in accordance with the NPPF.
- 3 Condition: The additional residential accommodation hereby approved shall only be used as ancillary accommodation to the main dwelling and shall at no time be used as an independent unit of residential accommodation, nor used as a holiday let.
- 3 Reason: For the avoidance of doubt and to ensure that the building is not used for unrelated purposes that would be incompatible with the provisions of the NPPF.

Planning Committee - 7 October 2024

Previous Committee:	02/09/2024
Upcoming Committee:	07/10/2024

APPLICATIONS DETERMINED UNDER DELEGATED POWERS

PURPOSE OF REPORT

(1) To inform Members of the number of decisions issued between the production of the 2 September 2024 Planning Committee Agenda and the 7 October 2024 agenda. There were 103 total decisions issued with 99 issued under delegated powers and 4 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) Major applications are assessed against a national target of 60%. Failure to meet this target could result in applications being dealt with by Pins who will also receive any associated planning fee.

RECOMMENDATION

That the reports be noted

Number of decisions issued between 15 August 2024 and 17 September 2024.

	Total	Approved	Refused	Under 8 Weeks	Under 13 Weeks	Performance %	National Target	Planning Committee Decision	
								Approved	Refused
Major	4	4	0		4	100.0%	60%	1	0
Minor	38	27	11	35		92.1%	80%	2	0
Other	61	53	8	54		88.5%	80%	1	0
Total	103	84	19	89	4			4	0

Planning Committee made 4 of the 103 decisions (3.9%)

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

DATE RECEIVED	DATE DETERMINED/ DECISION	REF NUMBER	APPLICANT PROPOSED DEV	PARISH/AREA
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13.02.2024	11.09.2024 Application Permitted	24/00254/FM	Land At E580454 N344043 Main Road Burnham Deepdale Norfolk Application for change of use of area Deepdale Farm, known as Parsons Bush to become a permanent part of the existing campsite on the farm, providing additional pitches for tents, campervans, motorhomes and trailer tents.	Brancaster
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20.06.2024	15.08.2024 Application Permitted	24/01132/F	York Cottage London Street Brancaster King's Lynn Proposed alterations and extension to the existing garage	Brancaster
26.06.2024	21.08.2024 Application Permitted	24/01180/F	Driftwood Main Road Brancaster King's Lynn Conversion of loft space, to include new dormer window to front elevation	Brancaster
02.07.2024	21.08.2024 Application Refused	24/01215/F	16 Anchorage View Brancaster King's Lynn Norfolk Replacement Garden Room with roof terrace over	Brancaster
24.05.2024	11.09.2024 Application Permitted	24/00968/F	Fisher & Sons North Street Burnham Market Norfolk VARIATION OF CONDITION 1 AND 10 OF PLANNING CONSENT 23/01999/F : Variation of condition number 2 attached to planning permission 16/01797/F: Renovation of existing building to provide one shop with flat above and one new dwelling. Demolition of workshop to rear of site. Addition of four new dwellings.	Burnham Market
24.05.2024	19.08.2024 Application Permitted	24/00972/LB	The White House 62 Market Place Burnham Market King's Lynn Internal alterations and changes to rear and side elevations	Burnham Market
14.06.2024	21.08.2024 Application Permitted	24/01099/F	The White House 62 Market Place Burnham Market King's Lynn Elevational alterations (rear and side)	Burnham Market

01.07.2024	16.08.2024 Application Permitted	24/01210/F	Angles House Station Road Burnham Market King's Lynn Removal of conservatory and replacement with sun room . Removal of UPVC windows and re instatement of metal frames,as originalhouse. Entrance of the drive to be widened	Burnham Market
12.07.2024	23.08.2024 Tree Application - No objection	24/00143/TREECA	Wildwood Cottage Herrings Lane Burnham Market King's Lynn 2759 Lime - Crown reduce east by 2m, remove basal epicormic growth 2761 Lime - Prune back overextended limb west at 8m back by 4m, remove basal growth. 2762 Beech - sever ivy 2767 Sycamore - reduce conflict with adjacent building by 2m 2768 Sycamore - reduce conflict with adjacent building by 2m	Burnham Market

01.07.2024	16.08.2024 Tree Application - No objection	24/00131/TREECA	16 High Street Castle Acre KINGS LYNN Norfolk T1 Salix caprea adjacent to gable end of garage and neighbouring wall to be reduced to ground level and the stump treated with Eco Plugs. This is to facilitate the re-roofing and structural repair of garage building adjacent to the High Street and part of buildings known as 16 High Street, Castle Acre. T2 Salix caprea in rear garden of 16 High Street, Castle Acre to be reduced to ground level and stump ground out. In order to create more space and light in the garden and facilitate maintenance of neighbouring boundary wall.	Castle Acre
18.07.2024	30.08.2024 Application Permitted	24/01312/LB	16 St James Green Castle Acre King's Lynn Norfolk Application for listed building consent to replace damaged and porous roof tiles and rotten battens with William Blythe handmade natural red clay pan tiles and replacement battens on the West Elevation only	Castle Acre

18.07.2024	30.08.2024 Application Permitted	24/01313/LB	15 St James Green Castle Acre King's Lynn Norfolk Application to replace damaged and porous roof tiles and rotten battens with William Blythe handmade natural red clay pan tiles and replacement battens on the West Elevation only.	Castle Acre
29.04.2024	16.08.2024 Application Permitted	24/00825/F	Flintstones Lynn Road Castle Rising King's Lynn VARIATION OF CONDITION 1, 5, 6 _ 7 OF PLANNING PERMISSION 24/00185/F: Demolition of existing house and construction of 2 pairs of semi-detached cottages	Castle Rising
01.07.2024	16.08.2024 Tree Application - No objection	24/00133/TREECA	Orangis Lynn Road Castle Rising King's Lynn T1, T2 and T3 - Common Lime Pollard tree back to original growth point, Reduce top of trucks by approx 2 m to remove weak timber (roadside trees) remove out stretched branches over main road. T4 Flowering cherry - Fell and reduce stump tree has outgrown its position. Extensive planting has already taken place in the rear garden to mitigate this loss.	Castle Rising

15.08.2024	20.08.2024 Tree Application - No objection	24/00170/TREECA	Home Farm Lower Road Castle Rising King's Lynn Felling and removal of the Horse Chestnut Pollard at Home Farm lower Road, Castle Rising PE31 6AD	Castle Rising
15.08.2024	19.08.2024 5 day Notice Decision	24/01481/TDD	Street Record Old Hunstanton Road Castle Rising Norfolk 5 DAY NOTICE FOR DEAD OR DANGEROUS TREE: Dead Elm tree to be felled adjacent to Black Horse Public House Car Park	Castle Rising
10.06.2024	22.08.2024 TPO Decision Consent	24/00046/TPO	15 Margaretta Close Clenchwarton King's Lynn Norfolk 2/TPO/00368: Remove the overhanging branch of a Walnut tree to the boundary. The tree is in a neighbouring garden but overhangs significantly into the applicants garden.	Clenchwarton
05.08.2024	02.09.2024 Application Permitted	23/01599/NMA_1	27 Bailey Lane Clenchwarton King's Lynn Norfolk NON-MATERIAL AMENDMENT to Planning Permission 23/01599/F: Construction of rear extension & front porch on existing bungalow	Clenchwarton
12.07.2024	02.09.2024 Application Permitted	24/01274/LB	Denver Hall 22 Ely Road Denver Downham Market Works to roof and exterior of building.	Denver
29.04.2024	03.09.2024 Application Permitted	24/00816/F	Land E of 21 Gelham Manor Dersingham Norfolk Proposed erection of traditional cottage and associated works	Dersingham

08.072024	03.09.2024 Application Permitted	24/01239/F	28 Tudor Way Dersingham King's Lynn Norfolk Balcony extension at first floor to front elevation with new balustrades and handrail. Cladding to front elevation, first floor section only. Single storey rear extension with flat roof.	Dersingham
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11.07.2024	04.09.2024 Tree Application - No objection	24/00141/TREECA	<p>14 Heath Road Dersingham King's Lynn Norfolk</p> <p>Holly (T1) Crown reduction 50% with lower and crossed branch removal.</p> <p>Flowering Cherry (T2 & T3) Crown reduction 50% with lower and crossed branch removal.</p> <p>Unknown Small Ornamental Tree (4) Fell completely. Partially dead . Largely covered in Yellow fungus.</p> <p>T5 Large beech originally hedgerow now overgrown reduce height and width by 50%</p> <p>Holly (T6) Reduction in Crown by 50% too close to housing.</p> <p>Walnut Tree (T7) Reduction of crown by 40%</p> <p>Fir x3 (T9) Removal of overhanging and dead branches with cones, needles and branches causing damage to vehicles, blocking gutters and house ventilation. (Outside conservation boundary Rear Hedgerow Various trees removal of overhang. Reduce crown by 40%. improve light and clear fence)</p>	Dersingham
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12.07.2024	04.09.2024 TPO Decision Consent	24/00052/TPO	Emsway 59A Chapel Road Dersingham King's Lynn 2/TPO/00040: T1 Hornbeam - reduce crown radius by 1.5 to 2 metres, leaving radius of 3.5 metres, ensure 2 metre clearance shed. G1 line of Hornbeams - reduce radii of crowns by 1 to 2 Metres leaving radii of 2-4 metres. Ongoing maintenance/tree management of trees in close proximity to domestic housing.	Dersingham
18.07.2024	22.08.2024 Application Permitted	24/01298/F	11 Bank Road Dersingham King's Lynn Norfolk Roof amendment to front projection & rendering	Dersingham
08.07.2024	22.08.2024 Tree Application - No objection	24/00138/TREECA	7 Harefields Station Road Docking King's Lynn Laurus Nobilis (T1) - approx 50% reduction to crown/ pollard to stop tree spoiling the shape of neighbouring Scots Pine and reduce shading to garden.	Docking
17.07.2024	06.09.2024 Application Permitted	24/01293/F	Peters Ann Bradmere Lane Docking King's Lynn Single Storey Rear Extension	Docking
01.07.2024	28.08.2024 Application Refused	24/01213/F	34 Launditch Crescent Downham Market Norfolk PE38 9RB A rear extension, creating a larger kitchen/dining area and bedroom and the alteration of the parking arrangement, to enable off road parking	Downham Market

10.07.2024	13.09.2024 Application Permitted	24/01260/F	160 Lynn Road Downham Market Norfolk PE38 9QG Construction of detached garage associated with dwelling and extension and alterations to dwelling.	Downham Market
04.07.2024	05.09.2024 Application Permitted	24/01232/F	15 The Green East Rudham King's Lynn Norfolk Proposed Replacement Porch, Windows, Canopy & Introduction of External Insulation	East Rudham
15.05.2024	30.08.2024 Application Permitted	24/00909/F	30 Hungate Road Emneth Wisbech Norfolk Conversion of garage to annexe and erection of conservatory.	Emneth
10.07.2024	05.09.2024 Application Permitted	24/01252/F	Kirklea 56 Church Road Emneth Wisbech Variation of Conditions 2,3,6,9,10,11 and 12 of Planning Permission 23/00576/F: Proposed dwelling	Emneth
03.05.2024	23.08.2024 Application Permitted	24/00843/F	Green Acres 1 Green Lane Feltwell THETFORD Proposed hard and soft landscaping	Feltwell
04.07.2024	27.08.2024 Application Permitted	24/01231/F	Hill Cottage 6 Short Beck Feltwell Thetford Single storey extension on rear of existing two storey dwelling.	Feltwell

29.05.2024	30.08.2024 Application Permitted	24/00990/A	The Crown Lynn Road Gayton King's Lynn APPLICATION FOR ADVERTISEMENT CONSENT FOR : Installation of 2x single sided non illuminated post mounted corex signs	Gayton
08.07.2024	29.08.2024 Application Permitted	24/01247/F	Eli-May Lynn Road Gayton King's Lynn Render external facade of building, project front gable on surface of front two storey wall, replace roof tiles, create entrance porch and replace all windows and doors.	Gayton
22.07.2024	05.09.2024 Prior Approval - Not Required	24/01319/PACU3	Barn And Land Rear of 141 Lynn Road Grimston Norfolk Notification for Prior Approval: Change of Use of Agricultural Barn to one Dwellinghouse (Schedule 2, Part 3, Class Q)	Grimston
20.06.2024	11.09.2024 Application Permitted	24/01130/F	Meadows Caravan Park Lamsey Lane Heacham King's Lynn Retrospective permission for the Installation of 4 no. calor gas tanks.	Heacham
10.07.2024	05.09.2024 Application Refused	24/01256/O	Marea Farm 49 School Road Heacham King's Lynn OUTLINE PLANNING PERMISSION WITH ALL MATTER RESERVED FOR: 8no self-build dwellings.	Heacham

18.07.2024	11.09.2024 Application Refused	24/01311/F	53 South Beach Heacham King's Lynn Norfolk Replacement of existing flat roof structure with a new pitched roof structure incorporating accommodation and an external raised terrace area (RETROSPECTIVE)	Heacham
21.06.2024	11.09.2024 Application Refused	24/01148/F	Modney Bridge Farm Modney Bridge Road Hilgay Downham Market Proposed annexe, for disabled family member and elderly parent.	Hilgay
17.07.2024	10.09.2024 Application Permitted	24/01296/F	7 Wheatfields Hillington King's Lynn Norfolk Proposed first floor extension above existing garage to provide new Master Suite.	Hillington
22.07.2024	22.08.2024 AG Notification NOT REQD Prior -	24/01323/AG	Church Farm Station Road Hillington KINGS LYNN The new agricultural building will be for the storage of agricultural machinery and grain. The building will have 2 sections with a main access to either side. The access will be to the southern elevation through the previously retained track edge.	Hillington
27.06.2024	05.09.2024 Application Permitted	24/01195/F	The New Rectory 25 South Street Hockwold cum Wilton Thetford Single storey extensions to existing dwelling and outbuilding, and construction of a new wall and access gates	Hockwold cum Wilton

17.04.2024	12.08.2024 Application Permitted	24/00728/LB	Golden Lion Hotel 1 The Green Hunstanton Norfolk Listed building application for proposed conversion of Former Nightclub to 5 Bedrooms - including minor alterations to fenestration	Hunstanton
03.06.2024	06.09.2024 Application Permitted	24/01024/F	Youth Centre Avenue Road Hunstanton Norfolk Proposed Shed	Hunstanton
11.07.2024	16.09.2024 Application Permitted	24/01263/F	Lodge Farm Downs Road Hunstanton Norfolk Alterations to existing cart lodge to introduce side hung vertical timber doors and flue to accommodate Bio Mass Boiler and associated ancillary equipment	Hunstanton
22.07.2024	16.09.2024 Application Permitted	24/01326/CU	Somerset Care Home 19 Austin Street Hunstanton Norfolk Change of use application from care home (C2) to dwelling (C3).	Hunstanton
11.01.2024	16.09.2024 Application Permitted	24/00062/F	79 London Road King's Lynn Norfolk PE30 5EU Proposed conversion of HMO to 4 self contained units	King's Lynn
11.01.2024	09.09.2024 Application Permitted	24/00063/LB	79 London Road King's Lynn Norfolk PE30 5EU Proposed conversion of HMO to 4 self contained units.	King's Lynn

20.03.2024	16.08.2024 Application Permitted	24/00512/CU	Gaywood Community Centre Gayton Road Gaywood King's Lynn Change of use of annex to community centre for the running of a coffee shop (Retrospective)	King's Lynn
30.04.2024	27.08.2024 Application Permitted	24/00802/LB	Annexe Building S of 10 South Quay King's Lynn Norfolk The Proposed works are within the existing building of the un-listed annex building, adjacent to the Grade II Listed Sommerfeld + Thomas Warehouse on South Quay, King's Lynn. The proposal is for Dryside facilities including laundry, changing and washing amenities, an area for storage and reading of maps, new windows, new door and canopy to the primary elevation onto South Quay with the retention of the flood defence gate.	King's Lynn
01.05.2024	29.08.2024 Application Permitted	24/00817/F	Annexe Building S of 10 South Quay King's Lynn Norfolk The proposal is for Dryside facilities including laundry, changing and washing amenities, an area for storage and reading of maps, new windows, new door and canopy to the primary elevation onto South Quay with the retention of the flood defence gate.	King's Lynn

07.06.2024	21.08.2024 Application Permitted	24/01056/FM	Travis Perkins Hamlin Way Hardwick Narrows King's Lynn Amendments to service yard layout.	King's Lynn
15.06.2024	05.09.2024 Application Permitted	24/01100/F	71 Mariners Way King's Lynn Norfolk PE30 2NY Retrospective single storey extension in the rear garden .	King's Lynn
19.06.2024	16.09.2024 Application Permitted	24/01166/LB	Bowers Butchers 71 Lynn Road Gaywood King's Lynn Listed Building Application: Various advertisement non permanent boards, A board(s), blackboards etc.to display current wares. New awning to replace dilapidated awning. Revised motifs on stallriser. Non-permanently positioned trade-bike with flowers as a display	King's Lynn

24.06.2024	29.08.2024 Application Permitted	24/01156/F	Land West of Knights Hill Village Grimston Road South Wootton Norfolk VARIATION OF CONDITION 23 AND 25 OF PLANNING CONSENT 22/01310/RMM : Approval of matters reserved for layout, scale, appearance and landscaping following outline planning permission 16/02231/OM for the erection of new homes, open space, a car park to serve Reffley Wood, paths and cycleways and associated development	King's Lynn
26.06.2024	27.08.2024 Application Permitted	24/01178/F	Cranberry Communications Ltd 78 Chapel Street King's Lynn Norfolk Conversion of office building to create single dwelling	King's Lynn
26.06.2024	19.08.2024 Application Permitted	24/01179/LB	Cranberry Communications Ltd 78 Chapel Street King's Lynn Norfolk Listed Building Application: Conversion of office building to create single dwelling	King's Lynn
26.06.2024	16.08.2024 Application Permitted	24/01181/F	Sledmere House 81 Gayton Road King's Lynn Norfolk Proposed single-storey side extension with a projecting bay window and internal alterations.	King's Lynn

26.06.2024	10.09.2024 Application Permitted	24/01182/F	31 Broad Street King's Lynn Norfolk PE30 1DP Change of use of the ground floor of 31 Broad Street from a vacant Class E unit (former restaurant) to an Adult Gaming Centre (AGC) (Sui Generis) (SG) use to allow Merkur Slots Ltd (UK) to occupy the unit. Merkur Slots are relocating from their existing unit at Unit 1 Norfolk Street, Kings Lynn	King's Lynn
26.06.2024	19.08.2024 Application Permitted	24/01183/A	31 Broad Street King's Lynn Norfolk PE30 1DP Application for advertisement consent for 1no. Internally illuminated fascia sign and 1no. internally illuminated projecting sign	King's Lynn
27.06.2024	14.08.2024 Application Permitted	24/01193/LB	The Crown & Mitre Ferry Street King's Lynn Norfolk Internal alterations to form fire lobby	King's Lynn
01.07.2024	29.08.2024 Application Refused	24/01207/F	27 Tennyson Avenue King's Lynn Norfolk PE30 2QG Conversion of existing dwelling to 6 flats including loft extension.	King's Lynn

04.07.2024	11.09.2024 Application Permitted	24/01234/LB	National Westminster Bank Plc 4 Tuesday Market Place King's Lynn Norfolk The undertaking of sympathetic, like for like, maintenance repairs to the roof portions and facing elevations in order to address ongoing problems with water ingress that are resulting in damage to the building fabric.	King's Lynn
09.07.2024	23.08.2024 Application Permitted	24/01249/A	W H Smith And Post Office 7 Norfolk Street King's Lynn Norfolk Application for advertisement consent for 1 x non-illuminated aluminium fascia sign 2000 x 380mm	King's Lynn
15.07.2024	21.08.2024 Application Permitted	24/01272/F	2 Brancaster Close King's Lynn Norfolk PE30 3EW Demolition of garage. Single storey side extension to dwelling.	King's Lynn
18.07.2024	17.09.2024 Application Refused	24/01303/O	Harvey's Removals 4 Rope Walk King's Lynn Norfolk Outline Application for two dwellings	King's Lynn
29.07.2024	16.09.2024 Application Permitted	24/01366/F	53 Russett Close King's Lynn Norfolk PE30 3HB Single storey extension to side of existing dwelling.	King's Lynn
07.08.2024	03.09.2024 Application Permitted	23/01366/NMA_1	48 Rainsthorpe South Wootton King's Lynn Norfolk NON MATERIAL AMENDMENT TO APPLICATION 23/01366/F: Proposed single storey rear extension.	King's Lynn

23.02.2024	30.08.2024 DM Notification NOT Required	24/00344/DM	Royal Air Force Marham Burnthouse Drove Upper Marham KINGS LYNN Demolition of 4no. existing accommodation blocks and associated garage	Marham
27.06.2024	28.08.2024 Application Refused	24/01222/CU	8 Hillside Marham King's Lynn Norfolk Change of use from open land to garden	Marham
17.07.2024	11.09.2024 Application Permitted	24/01294/F	3 The Street Marham King's Lynn Norfolk Side and rear extensions to existing bungalow	Marham
24.01.2023	23.08.2024 Application Permitted	23/00158/FM	Land NE of Brookeville Farm 48 And 50 Main Road Green Lane Brookville Norfolk Construction of 8 x poultry units and associated infrastructure.	Methwold
18.04.2024	05.09.2024 Application Refused	24/00738/F	Land Rear of 27 Main Road Brookville Norfolk 4 super insulated, energy efficient houses built to Passivhaus standards, with landscaping, access and parking	Methwold
19.06.2024	23.08.2024 Application Refused	24/01127/F	Green Glades Brandon Road Methwold Thetford Erection of detached Single Storey Annexe for Parents	Methwold
21.06.2024	16.08.2024 Application Permitted	24/01147/F	Ivy Cottage 30 Holders Lane Brookville Thetford Single storey link extension, part conversion of stables and alterations to dwelling.	Methwold

12.07.2024	23.08.2024 Tree Application - No objection	24/00142/TREECA	14 Hythe Road Methwold Thetford Norfolk T1- Cherry tree. Crown reduction by up to 2 - 2.5m to keep it to a suitable and manageable size for its location. T2 - Cherry tree. Remove to ground level as it extends over into the neighbouring garden.	Methwold
28.06.2024	23.08.2024 Application Permitted	24/01201/F	Orchard House Wormegay Road Blackborough End King's Lynn Garage Extension.	Middleton
05.12.2023	29.08.2024 Application Permitted	23/02174/F	Barn At E582956 N338298 Stanhoe Road Shammer North Creake Conversion of the existing agricultural building to create a one bedroom dwelling with a garden and off road car parking, accessed from Shammer Lane.	North Creake
16.07.2024	03.09.2024 Application Permitted	24/01284/F	2 The Paddock Dunns Lane North Creake Fakenham Proposed detached garage with timber pergola	North Creake
25.03.2024	16.09.2024 Application Refused	24/00555/F	Land Behind 32 Winch Road 32 West Winch Road West Winch King's Lynn The erection of a cottage and garage on a former brown field site	North Runcton
20.12.2023	11.09.2024 Application Permitted	23/02268/O	The Lodge Manor Road North Wootton King's Lynn OUTLINE APPLICATION WITH ALL MATTERS RESERVED FOR; Subdivision of Existing Dwelling	North Wootton

22.03.2024	22.08.2024 Application Permitted	24/00540/F	Storage Depot At The Poplars Thetford Road Northwold VARIATION OF CONDITION 1,2,3,4,5 AND 6 OF PLANNING APPLICATION 22/01032/RMM - Construction of 12 dwellings including Layout, Scale, Appearance, Landscaping	Northwold
04.06.2024	23.08.2024 Consent Required is	24/01043/AG	Northwold Hall 3 Little London Road Northwold Thetford Prior Notification: Steel framed agricultural building for use as a workshop and machine structure in association with the farming estate.	Northwold
18.03.2024	28.08.2024 Application Permitted	24/00490/F	2 Waterworks Cottages Waterworks Road Old Hunstanton Hunstanton Creation of layby.	Old Hunstanton
17.06.2024	03.09.2024 Application Permitted	24/01106/F	6 Howards Close Old Hunstanton Hunstanton Norfolk Extension to Dormer and Front of property as illustrated. Work permitted under PD annotated	Old Hunstanton
26.06.2024	15.08.2024 Application Permitted	24/01184/F	Old Court 16A Hamilton Road Old Hunstanton Hunstanton Single storey extension to front, porch extension, large bay window to front elevation and full refurbishment of dwelling.	Old Hunstanton
03.07.2024	27.08.2024 Application Permitted	24/01220/F	111 Church Drove Outwell Wisbech Norfolk Proposed 2 Storey Side Extension	Outwell

16.07.2024	11.09.2024 Application Refused	24/01288/F	49 Pentney Lakes Common Road Pentney King's Lynn REMOVAL OF CONDITIONS 4, 5 AND 6 OF PLANNING PERMISSION 10/00016/F, TO REMOVE OCCUPANCY RESTRICTION: Construction of log cabin holiday home	Pentney
18.06.2024	29.08.2024 Application Refused	24/01115/F	Westgate House 17 Chapel Lane Ringstead Hunstanton Retrospective: Partial infilling of pit and raising ground levels.	Ringstead
25.06.2024	20.08.2024 Application Permitted	24/01161/F	2 Stoney Road Roydon King's Lynn Norfolk Proposed Loft Conversion, Conversion of Cart Shed, Rear Extension and New Cart Shed	Roydon
02.07.2024	22.08.2024 Tree Application - No objection	24/00135/TREECA	Bodgers Barn 8 Lynn Road Shouldham King's Lynn Cut back of Cherry Tree in the front garden.	Shouldham
23.05.2024	19.08.2024 Application Refused	24/00985/F	Annexe At The Coach House Snettisham House St Thomas Lane Snettisham Retrospective: Existing annexe to continue to be used as a separate dwelling.	Snettisham
04.06.2024	10.09.2024 Application Permitted	24/01049/RM	Land East of Melody 38 Common Road Snettisham Reserved Matters: Proposed single storey bungalow.	Snettisham

27.06.2024	19.08.2024 Application Permitted	24/01191/A	36 Beach Road Shepherds Port Snettisham King's Lynn Application for advertisement consent for window signage to 3 No windows - Vinyl applied to glass	Snettisham
16.07.2024	11.09.2024 Application Permitted	24/01283/F	76A Station Road Snettisham KINGS LYNN Norfolk VARIATION OF CONDITION 1 AND 2 OF PLANNING PERMISSION 21/01090/RM: Reserved Matters, Construction of dwelling	Snettisham
09.07.2024	04.09.2024 Tree Application - No objection	24/00140/TREECA	Sutton House 33 Back Street South Creake Fakenham A - large aspen - remove dead branches. B - Magnolia - against house - reduce height by 1-2m; cut back. C - Winter cherry - remove dead branches. D - Lilac - cut out dead / dying stems. E - Whitebeam - prune lower branches.	South Creake

26.06.2024	22.08.2024 TPO Decision Consent	24/00047/TPO	High House 29 Castle Rising Road South Wootton King's Lynn 2/TPO/00066: T1: Lime: This large tree on the boundary line is in a state of decline and needs to be taken down. Large branches have fallen from it. T2: Horse Chestnut: This monstrous tree is growing close to the neighbours house who would like permission to clear it away from her phone line and then her property by 2 metres.	South Wootton
10.07.2024	03.09.2024 Application Permitted	24/01257/F	South View 44 Low Road South Wootton King's Lynn Extension and conversion of loft to create new bedroom space	South Wootton
19.08.2024	10.09.2024 Application Permitted	23/00490/NMA_1	Development Site W of South Wootton School Off Edward Benefer Way King's Lynn Norfolk NON MATERIAL AMENDMENT TO PLANNING CONSENT-23/00490/F .VARIATION OF CONDITIONS 1 and 9 OF PLANNING APPLICATION 20/01954/RMM -Reserved Matters Application following outline planning permission 17/01151/OM for the construction of 450 dwellings with associated infrastructure, to include access, landscaping, appearance, layout and scale	South Wootton

20.08.2024	16.09.2024 Application Permitted	23/01041/NMA_1	Oak Cottage Nursery Lane South Wootton King's Lynn NON-MATERIAL AMENDMENT TO PLANNING CONSENT-23/01041/F Two storey rear extension	South Wootton
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03.07.2024	22.08.2024 Tree Application - No objection	24/00134/TREECA	<p>Millstones Oxborough Road Stoke Ferry King's Lynn</p> <p>To prune back small branches and twiggs to clear a space to drop the panels into the slots and to remove branches and twiggs that "push" fence panels out. This affects the Labernum, Lilac, and John Downey. Remove dead branches from John Downey Crab Apple for safety. One large dead branch 3.5 to 4 inch diameter has been dead for two seasons. To coppice the Hazel Cobb tree. This will be done gradually over two years as four larger trunks are coming up from the ground. One has rotted away and needs clearing for safety and the others will be removed two this year and one next year. In addition I would like to extend the tree's life by coppicing (the Maximum life should go from 60 to 110 years max). This tree is estimated to be 50 to 55 years old and nearing the end of its current life. To prune Holly tree back to shape.</p>	Stoke Ferry
18.07.2024	23.08.2024 Application Permitted	24/01299/F	<p>7 Manor Court The Street Syderstone King's Lynn</p> <p>Replacement Garden Room following removal of existing Conservatory.</p>	Syderstone

27.06.2024	16.08.2024 Prior Approval - Refused	24/01187/PACU3	Owl Barn Green Marsh Road Terrington St Clement KINGS LYNN Notification for Prior Approval: Change of Use of Agricultural Building to one Dwellinghouse (Schedule 2, Part 3, Class Q)	Terrington St Clement
08.07.2024	04.09.2024 TPO Decision Consent	24/00051/TPO	Springfield 5 Station Road Terrington St Clement King's Lynn 2/TPO/00125: G1- mixed group- ash, and sycamore. approx. 20- 25m. We wish to fell all of the dead sycamore trees into the field to prevent failure over the carriageway. G1/T1- We wish to reduce the lateral spread by 3m to pull the weight back from the middle of the carriage way and then we would like to reduce the height of the tree by 6m to help reduce some of the counter leverage on root plate.	Terrington St Clement
14.10.2022	15.08.2024 Application Permitted	22/01923/F	Buttermans Farm Main Road Terrington St John Norfolk Conversion of existing outbuilding for use as annex to be used by household and holiday accommodation for disabled children / family/ carers in professional care of Applicants	Terrington St John

16.07.2024	12.09.2024 Application Permitted	24/01278/F	The Ridings 94 School Road Terrington St John Wisbech Proposed Dwelling including demolition of existing garage and outbuildings	Terrington St John
16.07.2024	12.09.2024 Application Permitted	24/01285/F	The Ridings 94 School Road Terrington St John Wisbech Creation of access.	Terrington St John
19.07.2024	17.09.2024 Application Permitted	24/01317/F	The Ridings 94 School Road Terrington St John Wisbech Proposed extensions, internal and external alterations and garage.	Terrington St John
22.07.2024	16.09.2024 Application Permitted	24/01332/F	12 School Road Terrington St John WISBECH Norfolk VARIATION OF CONDITION 3 OF PLANNING PERMISSION 19/00286/CU: Change of use of staff quarters to a dwelling and change of use of the existing workshop to uses which are incidental to the enjoyment of the dwellinghouse	Terrington St John
18.06.2024	03.09.2024 Application Permitted	24/01113/F	2 Pastures Court Thornham HUNSTANTON Norfolk Careful demolition of existing redundant pump house and then re construction in another location within the garden	Thornham
07.09.2023	15.08.2024 Application Refused	23/01626/O	Manor Lodge 40 Small Lode Upwell Norfolk Outline Application with some Matters Reserved: for residential development.	Upwell

12.02.2024	28.08.2024 Application Refused	24/00247/F	Caravan And Buildings E of 111 111A School Road Upwell WISBECH Proposed erection of 3 Four bedroom houses on previous motor vehicle storage yard	Upwell
04.07.2024	13.09.2024 Application Permitted	24/01242/F	11A Horseshoe Court Outwell Wisbech Norfolk To build an attached cartlodge to the side.	Upwell
09.07.2024	16.09.2024 Application Permitted	24/01255/F	110 Town Street Upwell Wisbech Norfolk Change of use and alterations of office including formation of roof in the roof space to form a dwelling	Upwell
22.07.2024	13.09.2024 Application Permitted	24/01325/F	Commercial Buildings Northwest of 4 Millfield Town Street Upwell Norfolk Proposed full application for barn conversion to dwelling, (to extend and alter Class Q approved scheme). Including conversion of adjacent building to associated domestic garage and defining of proposed garden area.	Upwell
28.05.2024	15.08.2024 Application Refused	24/00981/F	Cley Cottage The Marsh Walpole St Andrew WISBECH Erection of an agricultural building (retrospective)	Walpole
14.06.2024	27.08.2024 Application Refused	24/01095/F	Rosecroft 9 Sutton Road Walpole Cross Keys King's Lynn Retention of car port	Walpole Cross Keys

03.06.2024	16.09.2024 Application Refused	24/01015/F	22 Stone Close Watlington King's Lynn Norfolk Retrospective: Erection of 2m high fencing to side of highway (Stone Close). Fence at front has been lowered to 1m above ground level. 1m height front fence wraps around the highway side by 3m before increasing to 2m height for privacy to rear garden.	Watlington
04.07.2024	22.08.2024 Tree Application - No objection	24/00139/TREECA	Vicarage House Church Road Wereham King's Lynn T1 Holly Tree (est 7M in height and 5m spread). To reduce tree by 1m sides and top. To crown raise tree to 3m, removing epicormic growth from stem. Reason for work that tree has grown excessively and looks untidy in garden.	Wereham
27.06.2024	22.08.2024 Application Permitted	24/01190/F	16 Silvertree Way West Winch King's Lynn Norfolk Single storey extension to dwelling	West Winch
21.08.2024	17.09.2024 AG Prior Notification NOT REQD	24/01493/AG	Land S of Polperro Too High Road Saddlebow Norfolk Agricultural Prior Notification: Agricultural building (30 metres by 12 metres), with a lean to the southern elevation (30 metres x 6 metres). A hardcore/matted area will surround the building. The door to the eastern side will be 5 metres tall and 4.5 metres wide. The land will be accessed by an existing field access from the highway	Wiggenhall St Germans

