

ENVIRONMENT AND PLANNING

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX

Tel: (01553) 616200

Fax: (01553) 616652

DX: 57825 KING'S LYNN

e-mail: borough.planning@west-norfolk.gov.uk

Borough Council of
**King's Lynn &
West Norfolk****NOTICE OF DECISION - GRANT OF PLANNING PERMISSION**

Drove Orchards and Wild Luxury
c/o Triptych PD Ltd
Ms Laura Marshall
Platf9rm
Hove Town Hall
Church Road
Brighton And Hove
BN3 2AF
United Kingdom

Reference No: 24/00264/F
Application
Registered: 7 March 2024
Parish: Thornham

Details: **The addition of five holiday lodges to the existing glamping provision plus associated car parking. at Wild Luxury - The Wild Glamping Company Drove Orchards Thornham Road Holme next The Sea Norfolk**

The Town and Country Planning Act 1990 (as amended)
The Town and Country Planning (Development Management Procedure) (England) Order 2015

Permission is granted for the carrying out of the development referred to above in accordance with the application and plans submitted **subject to compliance with the following conditions:**

1. The development hereby permitted shall be begun before the expiration of three years from the date of this permission.
2. The development hereby permitted shall be carried out using only the following approved plans: -
 - 489-P100 Rev. C _Proposed Site Plan
 - 489-F102 _Proposed Floor Plans & Elevations Pods 4 & 5
 - 489-F103 _Proposed Floor Plans & Elevations Pods 1-3
3. The accommodation hereby approved shall be used for short stay holiday purposes only (no more than 28 days per single let) and shall be made available for rent or as commercial holiday lets. The holiday accommodation shall not be occupied, rented or sold off separately as a person's sole or main place of residence.
4. The owners / operators of the holiday accommodation hereby approved shall maintain an up-to-date register of lettings / occupation and shall make this available at all reasonable times to the Local Planning Authority.
5. Prior to the first use of the development hereby permitted the proposed on-site car parking area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
6. No development shall take place (including demolition, ground works, vegetation clearance) until a construction environmental management plan (CEMP: Biodiversity) has been submitted to and approved in writing by the local planning authority. The CEMP (Biodiversity) shall include the following as a minimum:
 - a) Risk assessment of potentially damaging construction activities.
 - b) Identification of "biodiversity protection zones".
 - c) The location and timing of sensitive works to avoid harm to biodiversity features.
 - e) A precautionary working methods to avoid the risk of impacts to amphibians, breeding birds and badgers.
 - f) Details of security/construction lighting including the design, location, orientation and level of illuminance which must specify the avoidance of illuminating ecological features such as hedges, garden boundaries and mature tree to maintain dark corridors.

- i) Responsible persons and lines of communication.
- j) The role and responsibilities on site of an ecological clerk of works (ECoW) or similarly competent person where required.

The approved CEMP shall be adhered to and implemented throughout the construction period strictly in accordance with the approved details, unless otherwise agreed in writing by the Local Planning Authority.

A 'statement of good practice' shall be signed upon completion by the competent ecologist, and be submitted to the LPA, confirming that the specified enhancement measures have been implemented in accordance with good practice upon which the planning consent was granted'.

- 7. The development hereby approved shall be carried out in strict accordance with the mitigation and enhancement measures outlined in Section 4.8 of the Preliminary Ecological Appraisal Report prepared by SLR Consulting Limited 4 July 2024. The mitigation and enhancement measures shall include the provision of:
 - a) Wildlife-friendly planting
 - b) Invertebrate habitat features
 - c) Bat boxes
 - d) Bird boxes
 - e) Enhancements for hedgehogs
 - f) Any lighting will be in accordance with bat conservation trust guidance on bats and lighting

The specific details of all of the required mitigation and enhancement measures aforementioned, including dimensions, location and construction methodology together with a scaled plan or drawing illustrating the requirements, shall be submitted to and approved in writing by the local planning authority prior to installation. The mitigation and enhancement measures shall be carried out in accordance with the approved details and thereafter retained in a suitable condition to serve the intended purpose.

- 8. No development shall commence until full details of the foul water drainage arrangements for the site, which must be specifically suited to non-domestic, intermittent use, have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 9. Prior to the installation of any air source heat pump(s) a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall specify the make, model and sound power levels of the proposed unit(s), the siting of the unit(s) and the distances from the proposed unit(s) to the boundaries of the site, plus provide details of anti-vibration mounts, and noise attenuation measures. The scheme shall be implemented as approved and thereafter maintained as such.
- 10. Prior to the occupation of any part of the development permitted, facilities shall be provided within the curtilage of the site for the storage of recycling, refuse and waste materials in accordance with details to be submitted to and approved by the Local Planning Authority. Such facilities should ensure that no waste or recycling is burnt in order to dispose of it.

The Reasons being:

1. 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. For the avoidance of doubt and in the interests of proper planning.
3. The site lies within an area in which the Local Planning Authority would not normally permit permanent residential development. This permission is granted because the accommodation is to be used for holiday purposes only in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016); Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
4. To ensure that this type of development which is permitted in the countryside is genuinely used for holiday accommodation purposes and will be operated and maintained as tourist facilities in the future, in accordance with Policy DM11 of the Site Allocations and Development Management Policies Plan (2016); Policy CS06 of the Core Strategy (2011); the general aims and provisions of the Thornham Neighbourhood Development Plan (2021) and Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
5. To ensure the permanent availability of the parking/manoeuvring areas, in the interests of satisfactory development and highway safety, in accordance with Policy DM17 of the Site Allocations and Development Management Policies Plan (2016); Policy CS11 of the Core Strategy (2011); Policies EMP4 and EMP5 of the Thornham Neighbourhood Development Plan (2021); Policies HNTS 6 and HNTS 25 of the Holme-Next-The-Sea Neighbourhood Plan (2021); and the principles of the NPPF.
6. In order to safeguard the ecological interests of the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Section 15 of the NPPF.

The details are required prior to commencement to ensure the ecological interests of the site are not prejudiced by the construction process.

7. In order to ensure the development does not result in the loss of habitat for protected species and to enhance biodiversity on the site in accordance with Policy CS12 of the Kings Lynn and West Norfolk Core Strategy (2011); Policies HNTS 1, HNTS 7, HNTS 8, and HNTS 22 of the Holme-Next-The-Sea Neighbourhood Plan (2021); the general principles of the Thornham Neighbourhood Development Plan (2021) and Paragraph 174 of the NPPF.
8. To ensure that there is a satisfactory means of drainage in accordance with Development Plan Policies and the principles of the NPPF.

This needs to be a pre-commencement condition as drainage is a fundamental issue that needs to be planned for and agreed at the start of the development.

9. In the interests of 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); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.
10. In the interests of 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); the aims and provisions of the Holme-Next-The-Sea Neighbourhood Plan (2021) and the Thornham Neighbourhood Development Plan (2021) and the general principles of the NPPF.



Stuart Ashworth
Assistant Director
Environment and Planning
On behalf of the Council
7 August 2024

Please note that any conditions that may be attached to this decision notice form an integral part of the permission. Failure to comply with any conditions could lead to enforcement action or the need to submit a further formal application.

In accordance with the NPPF, in determining this application for planning permission, the Borough Council has approached it in a positive and proactive way, and where possible has sought solutions to problems to achieve the aim of approving sustainable development. As such the development hereby approved is considered to represent sustainable development.

Section 33 and 34 for the Environmental Protection Act 1990 place a duty on developers to ensure that they manage and dispose of waste appropriately, this includes preventing the escape of waste by storing it in containers that are; clearly and correctly labelled, suitable for the waste and designed to prevent leakage or waste being wind blown off site. You should also ensure that you keep waste transfer records and only transfer waste to an authorised person.

For further information and to ensure that you have appropriate permits or exemptions in place visit:

<https://www.gov.uk/government/publications/waste-duty-of-care-code-of-practice>

<https://www.gov.uk/government/collections/waste-exemptions-treating-waste>

In addition, further information is available on <https://www.ccscheme.org.uk/>

The case officer who dealt with this application was Mrs Jade Calton, telephone number 01553 616772.

TOWN AND COUNTRY PLANNING ACT 1990

Appeals to the Secretary of State

- If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the Secretary of State under section 78 of the Town and Country Planning Act 1990.

Appeals Subject to an Enforcement Notice

- If this is a decision on a planning application relating to the same or substantially the same land and development as is already the subject of an enforcement notice, if you want to appeal against your local planning authority's decision on your application, then you must do so within 28 days of the date of this notice.
- If an enforcement notice is served relating to the same or substantially the same land and development as in your application and if you want to appeal against your local planning authority's decision on your application, then you must do so within: 28 days of the date of service of the enforcement notice, or within 6 months [12 weeks in the case of a householder appeal] of the date of this notice, whichever period expires earlier.

Other Types of Appeal

- If this is a decision to refuse planning permission for a householder application, if you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse planning permission for a minor commercial application and you want to appeal against your local planning authority's decision then you must do so within 12 weeks of the date of this notice.
- If this is a decision to refuse express consent for the display of an advertisement, if you want to appeal against your local planning authority's decision then you must do so within 8 weeks of the date of receipt of this notice.
- If you want to appeal against your local planning authority's decision on any other type of application then you must do so within 6 months of the date of this notice.

How to Make an Appeal

- Appeals can be made online at: <https://www.gov.uk/planning-inspectorate>. If you are unable to access the online appeal form, please contact the Planning Inspectorate to obtain a paper copy of the appeal form on tel: 0303 444 5000.
- The Secretary of State can allow a longer period for giving notice of an appeal but will not normally be prepared to use this power unless there are special circumstances which excuse the delay in giving notice of appeal.
- The Secretary of State need not consider an appeal if it seems to the Secretary of State that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions they imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.
- If you intend to submit an appeal that you would like examined by inquiry then you must notify the Local Planning Authority and Planning Inspectorate (inquiryappeals@planninginspectorate.gov.uk) at least **10 days before submitting the appeal**. [Further details are on GOV.UK.](#)