

Parish:	Great Massingham	
Proposal:	Subdivision of existing plot involving demolition of the existing barn with class Q approval and construction of a new replacement dwelling with separate private access and improvements to driveway, parking and turning area of existing dwelling.	
Location:	West Heath Barn Lynn Lane Great Massingham King's Lynn PE32 2HL	
Applicant:	Mr & Mrs D. Davies	
Case No:	24/00484/F (Full Application)	
Case Officer:	Connor Smalls	Date for Determination: 10 May 2024 Extension of Time Expiry Date: 10 January 2025

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

Neighbourhood Plan: No

Case Summary

The application site consists of the existing West Heath Barn site including converted historic barns, associated parking and plot as well as an existing detached barn with permission under Class Q to be converted into a four-bedroom residential dwelling. The site is located within the countryside and is rural in character. Neighbouring dwellings are located to the north-east and south-west of the site representing a small node of built form within the wider agricultural setting.

The application itself proposes the subdivision of the existing West Heath Barn plot involving demolition of the existing detached and clad barn subject to the Class Q approval and construction of a new replacement dwelling with a separate private access alongside alterations to the driveway, parking and turning area of the existing dwelling and associated holiday lets.

Key Issues

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

Recommendation

APPROVE

THE APPLICATION

The application site consists of the existing West Heath Barns site including converted historic barns, associated parking and plot as well as an existing detached Barn with permission under Class Q to be converted into a four-bedroom residential dwelling (23/00622/PACU3). To the south of the barn lies an existing paddock area alongside parking and the access to the site. To the north of the barn is a grassed area and fields beyond while to the west lies an existing area of trees and further grassed area. The site slopes from the north to south with a change in elevation. The site is located within the wider countryside and is rural in character. Neighbouring dwellings are located to the north-east and south-west of the site representing a small node of built form within the wider agricultural setting.

The application itself proposes the subdivision of the existing West Heath Barn plot involving demolition of the existing detached and clad barn and construction of a new two storey replacement dwelling with a separate private access alongside alterations to the driveway, parking and turning area of West Heath Barn and associated holiday lets.

The application has been amended over time to address design concerns.

SUPPORTING CASE - Summarised for clarity with full response available online. Pictures included in this response can viewed with the full response on the applications online file.

The applicant's current home is not suitable to grow old in however, they love the location and their application represents an aim to remain where they are but in a house better suited to their retirement. Great Massingham has a strong community spirit, and the applicant's wish to continue to be a part of that for many years to come. On their land is a concrete and steel structure with an asbestos cement roof built in the late 1940s which served as a tractor shed in the past. It fell into disrepair, and was generally considered an eyesore. In 2006, planning permission was granted for three 1850s agricultural barns on the same plot. The then owners developed these and set up a successful holiday accommodation business. In 2011, the shed was given a cosmetic facelift masking the concrete block with black timber cladding, painting the windows and replacing the corrugated iron doors with roller shutters. 12 years on the asbestos roof is leaking and the cladding is cracking and peeling.

Class Q consent was applied for to convert the shed to a dwelling. Consent was given, but the approved scheme has shortcomings. Adhering to the existing footprint yields a long and narrow house, larger than required with an impractical internal layout. The design has no architectural merit and conversion will not deliver optimal sustainability and energy efficiency. For these reasons the applicants wish to demolish the old building and replace it with a new dwelling. The new proposal is for an efficient, future proofed house which will meet their needs through their retirement years.

The proposed design was shared with both neighbours. Those to the east were supportive but neighbours to the west were unhappy. A number of revisions in direct response to their comments were made prior to submission:

- Removed a chimney on the west elevation
- Replaced the brick and flint section on the west elevation with black cladding
- Adjusted the westerly window configuration and relocated two rooflights
- Increased the extent of cladding to the ground and first floor on the front elevation

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- Reduced the ridge height of the front canopy
- Removed high level glazing to the front façade

After the application was submitted in March 2024, neighbours to the west formally objected on the basis of planning legality, impact on their amenity, ecological concerns and the design of the house in its rural context. In response to their concerns, and after taking advice from the Conservation Officer, further changes were made:

- Reduced the ridge height, amended the roof pitch and substituted the proposed pantiles with slate, as a grey roof was deemed more similar to the existing tractor shed
- Reduced the width and height of the rear projections so they were not visible from the front facade
- Further reduced the glazed areas to the front and west elevations
- Relocated the upstairs lounge and balcony to the rear, looking north over own land
- Removed the balcony, gable and dormer from the front elevation and the hip from the garage
- Added more flint to the south and west elevation and a flint panel to the garage gable
- Confirmed that the paddock area at the front of the property would remain as a paddock with post and rail fencing as current to maintain the existing rural appearance viewed from the public highway

These amendments were met with the approval of the Conservation Officer, Parish Council and all other statutory consultees and in late summer the Planning Officer advised that they were recommending approval. However, with continuing objection from neighbours to the west, it was scheduled to go before the Planning Committee on 4th November 2024.

A week before that meeting, the Planning Control Manager withdrew the application to allow for further discussion and to reconsider the design in the context of the Class Q fallback position. At a subsequent on-site meeting, the applicants were advised that contrary to the earlier guidance and approval from the Conservation Officer, the Planning Control Manager felt that the design should more closely reflect the adjacent West Heath Barns rather than retaining some similarity to the existing tractor shed.

Further revisions have now met with approval from the Planning Office and the application has entered a 3rd phase of consultation prior to its submission to the Planning Committee on 6th January 2025, almost 10 months since its original submission.

The latest round of changes include:

- Reverting to a pantile roof (as per original design which was requested to change earlier in the consultation process). This now mirrors the roof of West Heath Barns and the neighbouring properties
- The front elevation is now entirely brick and flint, with cladding reserved for the rear elevation which is not visible from the public highway
- The roof design has been amended on the side and rear elevations to a softer profile including the removal of a gable at the rear
- Adjustment to alignment and width of windows to a more “barn-like” appearance
- Further slight reduction in ridge height
- The proposed building has been moved 2 metres to the east to increase the overlap with the footprint of the existing building and the pre-approved design. This has also increased the distance from the neighbours to the west.

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The gross internal area (GIA) is 24% less than the pre-approved GIA. The revised footprint of the proposed living space is 23% less than the existing footprint. Inclusion of the single-storey garage still yields a footprint slightly smaller than the original tractor shed. The applicants believe the proposal complies with planning policy having taken professional advice. An ecological survey, three bat surveys and a tree survey have been undertaken to ensure no adverse impact on the habitat and local environment. The Ecology, and Arboricultural Officers support the proposal. The Planning Officer has confirmed they are recommending for approval.

The only remaining objection is from the neighbours to the west who believe that their privacy will be significantly affected. However, West Heath Cottage is not completely private today. It faces onto the highway, and the driveway and front windows to the kitchen/dining room (which they refer to as their orangery) and their back door are in public view.

The neighbours desire for privacy has resulted in considerable thought into positioning and design to ensure no material impact on their amenity:

- The proposed house is 29 metres at its closest point to the neighbouring property (corner to corner) and 14.5 metres at the narrowest point to the hedge. The boundary comprises a 6ft tall beech hedge belonging to neighbours.
- The existing building line on the front elevation has been adhered to so the proposed building is set back from the dwellings on both sides. The position of the proposed building is 2 metres closer towards the western boundary than the existing building, this being driven by the topography of the land (building into the slope), and also to better centre it on the plot. The proposed position is largely equidistant from the neighbouring properties to the east and west and it sits comfortably within the landscape and views from the highway.
- Building into the sloping plot minimises the visual impact. This obscures visibility into the neighbouring property from the ground floor windows on the western elevation. None of the west facing windows face the neighbouring house or their private patio area but are orientated towards the very rear of their property. The sloping ground means that the upstairs dining room and kitchen window cills on the western elevation are no greater than 1.4 metres above ground
- The glazing on the western elevation has been significantly reduced vs. the Class Q approved scheme which now amounts to an area of 4.6 sq metres, almost 60% less than the previously approved scheme where it amounted to 11.2 sq metres. A marked reduction in the glazing area to the front elevation has also been made in response to concerns re dark skies.
- The upstairs lounge and balcony have been relocated to the rear, facing out over applicant's land, switching positions with a bedroom which has a modest window looking south and curtained at night eliminating light leakage.
- As agreed with the Arboricultural Officer, it will be necessary to remove some trees in the course of development regardless of whether it is the Class Q scheme or the proposed new dwelling. A tree planting scheme forms part of the application to plant semi-mature trees in carefully selected locations to further enhance screening and privacy

The application has received many supportive comments (44 at the time of writing) from local residents including neighbours to the east. This recognises the value this change will bring to the local environment and endorses the many revisions to respond to objections and the wishes of the Planning Department. A local landowner who had submitted an objection to the original design citing the impact on neighbours as their primary issue, is completely unaffected by the development and has not submitted further comment following changes made to the design.

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The applicants believe they have gone above and beyond to address neighbours' concerns. There is approval to enact the Class Q scheme if there is no option, but this application represents a major improvement both for the applicants and for the rural environment in which it sits. The Planning Officer has recommended its approval. It is hoped Councillors agree and permit a sustainable home for the future and do not miss an opportunity and force the applicants to pursue a second-rate compromise.

PLANNING HISTORY

There is various history on the wider site, with the most relevant history to this decision outlined below.

23/01106/CHSR17: Application Permitted: 11/07/23 - Application under the Habitats Regulations 2017: Regarding application 23/00622/PACU3 (Change of use of Agricultural Buildings to Dwellinghouse (Schedule 2, Part 3, Class Q)) – delegated decision.

23/00622/PACU3: Prior Approval - Approved: 11/07/23 - Notification for Prior Approval: Change of use of Agricultural Buildings to Dwellinghouse (Schedule 2, Part 3, Class Q) – delegated decision.

RESPONSE TO CONSULTATION (summarised for clarity where possible)

All responses are correct at the time of writing, additional responses and correspondence will be included in late representations if received after the finalisation of this committee report.

Parish Council: No response received at time of writing to latest plans. Previously raised no observations.

Highways Authority: No response received at time of writing to latest plans. Previously raised no objection:

Having considered the information submitted, it is noted that the applicant is seeking permission to demolish an existing agricultural building (which benefits from permission for conversion to a dwelling) and construct a new dwelling. Therefore, in terms of highway considerations the proposals are not considered to generate additional traffic to the site.

They are however seeking to construct a new vehicular access to serve the new dwelling which would be located adjacent to the existing current shared access with West Heath Barn. Whilst the proposals would result in a new access onto the highway network, close to an existing private access, this would not lead to a significant highway concern.

Conditions and an informative are recommended which would be included on any approval regarding: specification of new access, obstructions near the access, visibility splays, turning area and an informative regarding works within the public highway.

Conservation Officer: No response received at time of writing to latest plans. Previously raised no objection:

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Original Comment

The application site is a modern concrete barn clad in timber with a 'wrinkly' metal roof. It is a utilitarian building that is an obvious addition in a farmyard setting. The former farmhouse is now in separate ownership but is adjacent to the boundary of the site.

The proposed scheme would have a domestic appearance that would be out of keeping on this plot. The design of a proposal in this location needs to be more 'barn-like' in appearance rather than domestic. A modern take on a traditional barn could be an acceptable approach.

We have met with the agent and explained our position. We have no in principle objection to a dwelling in this location subject to the design being appropriate for the context

Additional Comment

The proposal has been made less tall and it has been simplified, particularly on the front elevation which is now more akin to a traditional barn in its style.

We no longer object to this application.

Please can you consider conditions relating to;
Sample panel of brick and flint.
Details of all external materials.
Joinery details including the rooflight.
Extractor vents ducts and flues as well as meter boxes.
Rainwater goods.
Hard landscaping including the driveway.

Ecologist: No response received at time of writing to latest plans. Previously raised no objection:

Original Comment

BNG

The applicant has claimed exemption from Biodiversity Net Gain under the Temporary exemption for non-major developments (small sites exemption). The application form is dated 15/05/2024 which would make this exemption valid.

Under the NPPF all development still has a duty to provide a measurable net gain in biodiversity. The enhancements should be proportionate to the scale of the development but should be included on any architectural plans were appropriate. I advise that the applicant should include one integrated bat box and one integrated bird box (preferably swift given the arable context of the site) as a minimum. Other enhancements will also be welcomed.

Protected species

The building has some potential to support bats, notably the barge boarding covering the entirety of the building. There are records of bats within 2km of the site which suggests that are in the local area. The building will be demolished as part of the proposal which could have the potential to impact roosting bats should they be present. A bat survey is therefore required.

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Protected sites

A sHRA has been submitted and a s111 detailing the mitigation payment that has been made. Once the Planning Officer has completed the remaining section of the form this can be adopted as our record of HRA. Natural England have not raised any further concerns regarding impacts to protected sites.

The site is not within the Nutrient Neutrality (NN) catchment area but it is in close proximity to the western limits of the Wensum SAC catchment. The application form states that a PTP will be used but its unknown if the drainage will connect up to systems already present. The current PTP is located to the south of the footprint of the current building which would not raise any NN issue if the new development was connected to this. Given that the details are currently unknown please confirm the drainage arrangements with the applicant prior to granting any consent to confirm the PTP is not draining into the catchment.

Additional Comment

An Ecological Appraisal was submitted in June (Philip Parker Associates Ltd., 2024). This included a recommendation for further bat surveys following the assessment of the barn as possessing high potential to support roosting bats. Precautionary measures are recommended for protected species which includes the careful removal of on site habitat in respect of reptiles/amphibians and small mammals and recommendations for bats.

The recommendations for bats are updated within the Phase 2 Bat Survey Report (Philip Parker Associates Ltd, August 2022). This report also provides details of the further surveys that are required. A small maternity roost of common pipistrelles (max count 13), one common pipistrelle day roost, one Brown long eared bat (BLE) day roost and up to five soprano pipistrelle day roosts were identified within the building. The pipistrelle roosts were found to largely occur beneath the cladding on the southern elevation with a lesser number of day roosts for BLE and common pipistrelle located internally within the buildings roof structure.

The reports outline the requirements for a Natural England Bat Mitigation Licence to facilitate the proposed works and I advise that this should be conditioned. The recommendations for bat mitigation will be secured by this licence so we would not necessarily need to condition this. However, lighting is not likely to be secured in this way so this would need to be conditioned. I am unsure of what roofing material is proposed for the new development but if any felt is to be used where bats can come into contact with it, it is important that 1F bitumen hessian reinforced felt is used. It would be ideal if the design of the new property included an element of weather boarding to replicate what will be lost, although bats will be compensated through mitigation included with any licence.

I have no objection to the proposed development based on the results and recommendations of the Ecological Appraisal and Phase 2 Surveys.

Conditions are recommended regarding applying for the bat licence as well as enhancements and a wildlife sensitive lighting scheme and installation of bird boxes which would be included on any permission as well as an informative regarding bats and roof felt.

Arboricultural Officer: No response received at time of writing to latest plans. Previously raised no objection.

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No objection subject to tree protection and new tree planting conditions. Although it is disappointing to see the healthy Pine trees removed for no reason than to make way for a larger building, the trees are unlikely to justify a Tree Preservation Order due to the presence of many other trees in the area to the east of the site, which in part mitigates the loss of these trees. Views will be opened up of the trees to the rear on higher ground.

Environmental Quality: No response received at time of writing to latest plans. Previously raised no objection.

A condition is requested regarding unexpected contamination which would be included on any approval alongside an informative regarding asbestos.

Natural England: No objection.

REPRESENTATIONS (summarised for clarity)

Original Application

TWENTY-TWO Public **SUPPORT** comments.

TWO public **OBJECTIONS** regarding:

- This application is not in keeping with the surrounding landscape – scale and context - which is an area of extraordinary natural beauty and recently selected as a DEFRA landscape recovery project.
- Light pollution would be ecologically damaging for migrating birds, moths, bats.
- Impact on neighbours due to size and elevation.
- Barn already has consent for conversion to residential. Development over and above the Class Q consent would be contrary to Policies DM5 and DM15, CS06, CS10 and CS12.
- This proposal would be contrary to local examples of barn conversions.
- Minor changes to amended plans do not overcome previous issues.
- Loss of trees and visual/character impact.
- The proposed new building should adhere to the existing agricultural building's footprint, to maintain the look and feel of the existing agricultural buildings and area.
- Proposal is higher than and outside of the footprint of the existing barn.
- Extensive glazing impacting light pollution.
- Impact on neighbour's amenity and privacy as a result of overlooking.
- Neighbours to the southwest are the only ones affected by this proposal.
- There is a duty of care to preserve the fabric and character of the village, and our agricultural heritage. If this application is approved, it will set a precedent for any agricultural barn to be turned into modern, unsympathetic houses, and the rapid demise of prime agricultural areas.

Amended scheme

FIFTEEN Public **SUPPORT** comments

THREE public **OBJECTIONS** regarding:

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- Key issues are reiterated from previous objection above.
- Minor changes made to the design do overcome issues.
- In relation to the new design, the proposed side elevation to the west is enormous and is over 50% bigger than existing (with no trees for screening).
- Proposal would extend 5 metres further west toward neighbour, with 7 windows overlooking, invading privacy and the quiet cottage garden. This would change the very rural and isolated situation of the neighbouring property and the surrounding area.
- Where will items currently stored in the existing barn be stored.
- More barns may be required to be built in the future.
- Oversight of required bat survey.
- Applicants stated that they had no intention of converting the barn in accordance with the Class Q permission as it was not a house design that they would live in. This was an exercise to achieve the first round of planning permission. Therefore, there is definitely “no real prospect” of the barn getting converted if this subsequent application is denied in accordance with case law.
- The first design related to this application was completely different to the original Class Q design.
- Case law in support is from 2017 in Kent.
- Appearance of proposal in relation to the barn and agricultural context.
- Reiterated overlooking concerns.
- Neighbours to southwest have plans to landscape the entire area to the north of the dwelling including the building of a seating area. This area is currently overgrown, and some trees would need to be removed.
- **Photos are provided in support of the impact on this neighbour which are available on the online file.** The back door entrance on neighbours eastern elevation is the main access and the proposal will impact on privacy. The garden area would be overlooked that is used regularly. The kitchen window and orangery window on the eastern elevation are also in full view of the proposed development. Neighbours driveway and front garden would be completely overlooked and therefore neighbours will have lost all privacy.
- Concerns over potential outbuildings.
- Noise and light pollution – noise from DIY (applicant is an ‘enthusiast’) from various saws and drills, this will be closer to neighbour as a result of development.

Final Amended Scheme

At time of writing: **FOURTEEN** Public **SUPPORT** comments:

- Design is in keeping with the existing West Heath Barns.
- Many iterations of plans has been a waste of time.
- An ugly and largely unused building, of no particular value to the area, should be turned into an attractive and well designed family home.
- The existing barn has little architectural merit.
- This will be an interesting house and will contribute to the built environment in Great Massingham and surrounds.
- Proposed materials would be entirely in keeping with traditional Norfolk farmyards.
- Changes have been made to accommodate the issues that have been raised.
- The design includes features that make it eco-friendly such as solar panels, water harvesting and tree planting.

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- It has also sought to address a neighbour's objections by re-siting the house a few meters further north.

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS09 - Housing Distribution

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM5 – Enlargement or Replacement of Dwellings in the Countryside

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

NATIONAL GUIDANCE

National Planning Policy Framework (NPPF)

Planning Practice Guidance (PPG)

National Design Guide 2021

PLANNING CONSIDERATIONS

The main considerations are:

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

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Principle of Development:

In July 2023 prior approval was granted under Class Q, Part 3, Schedule 2 of the Town and Country Planning (General Permitted Development) Order 2015 to convert the existing agricultural building into a dwellinghouse (23/00622/PACU3). Applications under Part 3 of the GPDO allow for the change of use of certain buildings (following detailed regulations and conditions) and in the case of Class Q allows for the conversion of agricultural buildings which may be redundant for agricultural purposes into residential dwellings, which would not otherwise be permitted. Consequently, while the conversion has not yet been carried out the principle of a residential use has been established.

Whilst there are strict criteria within the regulations around what can be granted approval under Class Q, this does not prevent an application for planning permission being submitted for building works which do not fall within the scope of permitted development to be made after a prior approval application in respect of the change of use of the same building. This full application should therefore be determined in accordance with the development plan unless material considerations indicate otherwise.

The application site is within the countryside as identified within the Site Allocations and Development Management Policies Plan (SADMPP) 2016 and a dwelling in this location is not considered appropriate unless it meets the relevant criteria within the Local Plan.

However, notwithstanding the above, it is a material consideration that there is prior approval permission at the application site for the conversion of the existing building to a residential dwelling. The applicant has a 'fall-back' position should this application be refused which means that the existing building could be converted into a dwelling notwithstanding this application. Based on the consent(23/00622/PACU3), the works would have to be complete by July 2026. This demonstrates that there is substantial time left that the development could be completed under the Class Q consent.

The status of a fall-back development as a material consideration has been applied in court judgements such as 'Samuel Smith Old Brewery v The Secretary of State for Communities & Local Government, Selby District Council and UK Coal Mining Ltd'. This decision states that for a fall-back position to be a 'real prospect', it does not have to be probable or likely: a possibility will suffice. It is also noted that 'fall back' cases tend to be very fact-specific and are a matter of planning judgement. Examples are given within the judgement where for instance there may be an old planning application which is still capable of implementation or where it could be argued that the impact of that which was permitted development would be much the same as the impact of the development for which planning permission was being sought.

The concept of 'fall-back' is also considered in 'Michael Mansell v Tonbridge & Malling Borough Council' where approval was given for the redevelopment of the site of a large barn and a bungalow to provide four dwellings. The judgement covers more than one aspect of the decision but makes reference to Class Q of the GDPO as a 'fall-back' position and reiterates the comments made in the Samuel Smith Old Brewery case that the council should satisfy itself that there was a 'real prospect' of the fall-back development being implemented, although it was again reiterated that the basic principle is that 'for a prospect to be a real prospect, it does not have to be probable or likely; a possibility will suffice'.

Consequently, taking the above into account it is considered that there is a 'real prospect' of the applicant implementing the fall-back position of converting the existing building given that

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the consent is extant and has three years from the date of decision to be completed (must be completed by July 2026 as outlined). This is therefore a material consideration of significant weight in the determination of this application. However, decisions need to be consistent across the Borough and Members will be aware having considered similar types of applications, any proposed replacement should be consistent with the form, scale and massing of existing buildings.

The main issue therefore with regard to the determination of this application is whether the proposal would materially harm the character and appearance of the countryside. As it is proposed to replace the building approved for conversion under Class Q, Policy DM5 of the SADMP 2016 is relevant. This states that proposals for replacement dwellings or extensions to existing dwellings will be approved where the design is of high quality and will preserve the character or appearance of the area in which it sits.

The level of accommodation proposed within the new dwelling would be the same in terms of four proposed bedrooms. In terms of design, this is discussed in detail below however, with amendments an acceptable scheme has been reached in terms of design and the proposal is considered to be, on balance, acceptable - not having a detrimental impact on the character and appearance of the surrounding countryside.

The red line differs from what was approved under Class Q, which has restrictions on curtilage size. However, the red line for this application is larger as it incorporates works to both the access to the neighbouring/host dwelling and a larger garden space. The proposed garden land to the proposed dwelling would however relate well to the form and character of neighbouring plots and this is not considered to be incongruous or out of keeping. In addition, as explained below Permitted Development rights are removed for 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 to ensure a suitable visual impact on the wider landscape.

Consequently, taking the above into consideration the proposal is considered acceptable in principle.

Form and Character:

The proposal relates to the demolition of the existing timber clad, steel framed barn, replaced with a new detached dwelling and subdivision of the site. The original proposal consisted of a large two storey dwelling. This would have had a large front gable with extensive glazing, pitched roof elements alongside two rear gables and a single storey projection to the northeast side. Materials were a mix of pantiles to the roof, cladding, brick and flint. To the west, in response to the levels change, there would be a retaining wall with the levels immediately to the side of the house comparable with that to the front of the dwelling. With the slope continuing further to the west. In addition, an upper seating area and sunken courtyard element were present to the rear.

However, concerns were raised in regard to the dwellings design relating to the overall size and scale of the dwelling. It was felt that this should better relate to the overall footprint and scale of the existing barn. The proposal would also have been overly dominant within the established setting of the immediate area/locality. In addition, it was considered that the design, while not poor quality, should better reflect the setting noting the nearby historic barns, this was a point specifically mentioned by the Conservation Team.

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In addition, a new access was proposed to serve the new dwelling accessed from Lynn Lane next to the access for West Heath Barn. Alongside this, there would be alterations to the parking, drive and turning area of the host dwelling and associated holiday lets with parking close to the access and then a gate and boundary leading to the new parking area at the rear. As outlined above the form and design of the dwelling was not considered acceptable. However, the subdivision, plot size and works to parking, turning, drive and accesses elements were not considered visually harmful.

Based on the above, an amended scheme was submitted which sought to reduce the height of the dwelling and simplify the built form seeking to be more visually akin to a barn to the front elevation. Materials included slate to the roof, cladding, brick and flint. Conservation no longer objected nothing that the scale and design were now in keeping compared to the first submission.

However, concerns were still present in terms of the wider landscape impact including the proposed development compared to the existing barn structure. It was considered that the proposal, whilst an improvement to the original, did not retain enough agricultural character. This also then exacerbated the impact on the landscape as the current barn is not particularly obtrusive in this established landscape setting and in relation to the other built form in the locality. Concerns were also raised in regard to the scale/form/depth and height of the proposal as well as consideration to the use of materials and level of glazing. The difference in horizontal and vertical emphasis of the proposal was also a point of concern.

As such, a final amended scheme has been submitted to address these concerns.

The main element of the dwelling would have a pitched roof with side facing gables and a rear gable facing north with an additional pitched roof element to the rear with a side facing (east) gable end. To the east, a single storey projection is proposed containing a two bay garage and car port space.

The front elevation would consist wholly of brick and flint with the roof material throughout consisting of clay pantiles. Centrally to this elevation would be a large, glazed section from ground floor to eaves, reflective of a barn opening. To the western side gable materials would be as with the front with brick and flint, this would include attractive brick detailing. The rear projection would consist of a mix of horizontal and vertical cladding. The western side elevation would also see changes in levels, whilst remaining mostly as existing towards the boundary, close to the main dwelling these would be lowered to the side of the dwelling (the house and area immediately around it are shown on plan as 70.46 AOD) with a retaining wall up to the higher level to the side and rear behind the dwelling. To the rear, this higher level would continue to the rear of the dwelling (73.16 AOD along the width of the rear gable) with an upper level at first floor (outdoor seating area). This would then shift to a lower courtyard area (shown as 70.46 AOD) with steps up and a retaining wall. Levels towards the north and west are shown to then match existing.

The rear elevation would have cladding as outlined with various fenestration and a large balcony at first floor. The eastern side elevation would be brick and flint alongside the single storey side projection which would also be brick and flint with the same attractive detailing as to the west, the roof to the single storey side projection would include solar panels to the south.

A key point is the front elevation and its barn inspired appearance. Alongside this, the inclusion of clay pantiles responds to the historic barns to the east and the brick and flint is

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reflective of the vernacular character of the local area. The scale/form/depth and height of the proposal is improved with the proposal now only approx. 0.9m above the height of the existing barn ridge as shown on plans. The existing barn is approx. 7m in height whilst the proposed would-be approx. 7.9m in height. The use of materials is further simplified with a more consistent approach especially to the front and sides. The level of glazing is considered appropriate.

Conditions are recommended regarding a sample panel of brick and flint, details of all external materials as well as joinery details and soft and hard landscaping including the driveway. All of these would be included on any approval. However, it is not considered reasonable or necessary to include conditions regarding extractor vents ducts and flues as well as meter boxes and rainwater goods based on the development and its setting. It is not considered that the setting of the neighbouring historic barns would be negatively impacted in this regard.

It is also important to note that the size of the plot and associated garden spaces is commensurate to neighbouring dwellings, Permitted Development rights would be withdrawn via condition on any approval to prevent excessive built form on the plot in terms of outbuildings as well as changes of dwelling - full details are within the below report.

Conditions are also included in terms of landscaping as well as boundary treatments to ensure the final details are suitable given the sensitive rural setting and character.

Overall and taking a balanced view, the proposed dwelling is now considered to be of an in keeping and acceptable design based on the final amendment that is reflective of its setting, character of the area and is now of an appropriate scale. The dwelling would represent a change within the established landscape, but the proposal is now considered to be visually acceptable and would not harm the wider rural landscape setting within the established historic node of development. The proposal is therefore 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 the NPPF and National Design Guide.

Impact on Neighbour Amenity:

In terms of the final amended scheme, there is a distance of approx. over 13m at the closest point to the western boundary with further separation beyond to the main dwelling. This separation and distance are key in considering the relationship between the proposal and this neighbouring dwelling and plot. It is also important to note the slope in levels from the south up to the level the house would be on. This continues to raise adjacent to the house and boundary to the west and to the rear beyond. Proposed levels are discussed above. Compared to the levels on the western boundary, the house would be at 70.46 AOD while points at the boundary adjacent to the proposed dwelling note 70.60 AOD and 71.49 AOD on plan.

Further, in terms of fenestration the front elevation would consist of the large central glazed area. However, there would be a set back from this in terms of internal floor layout and this would be set away from the boundary with a limited angle of view to the west. The window at first floor would be set in from the side of the dwelling with acute angles towards the western boundary and plot beyond. The lower ground floor window would be screened by levels, boundary hedge as well as being acceptable in terms of the separation distance. To the western side, ground floor windows would be screened as above in terms of levels, boundary hedge but also acceptable based on separation.

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At first floor, the two windows towards the front elevation would be conditioned to be obscure glazed as they serve a bathroom. The other two windows would serve a dining and kitchen space which would not be the sole windows with large rear openings. Further, the separation to the boundary would be beyond approx. 13m as the angle of the boundary skews to the west. It is acknowledged that the footprint of the proposed dwelling is closer to the western boundary than the proposed dwelling and would be approx. 0.9m taller than the existing barn as shown on plans with a deeper footprint from north to south. However, based on the above assessment noting levels, scale and separation, it is considered that the impact to the western plot/dwelling/boundary, while changed from existing, would be acceptable.

To the east, there would be approx. 3m to the boundary from the single storey side projection. In addition, there is over 12m from the two-storey element of the main dwelling. Considering the then further separation to the dwelling to the southeast it is not considered that there would be any adverse impacts in terms of overlooking, overbearing or overshadowing. To the north, fenestration and the balcony etc would face towards the open field beyond. To the south, the impact would be to the open space serving the proposed dwelling.

Other elements such as parking, landscaping and the new access would not create any adverse amenity impacts and the interrelationship between the proposed dwelling and development and neighbouring uses is acceptable for the reasons outlined. Based on the above assessment, it is therefore considered that the proposed development 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 the NPPF.

Impact on Ecology and Trees:

Protected Species

A Preliminary Ecological Appraisal (13/05/2024) followed by a PHASE 2 BAT SURVEYS Report (05/082024) have been submitted in support of this application.

Bats

A small maternity roost of common pipistrelles (max count 13), one common pipistrelle day roost, one Brown long eared bat (BLE) day roost and up to five soprano pipistrelle day roosts were identified within the existing building. The pipistrelle roosts were found to largely occur beneath the cladding on the southern elevation with a lesser number of day roosts for BLE and common pipistrelle located internally within the building's roof structure.

No other protected species have been identified or are considered to be impacted as a result of the proposed development.

The submitted report as well as the response from the BCKLWN Ecologist outlines that a full European Protected Species Licence (EPSL) is required. Local planning authorities must consider the potential for developments assessed as affecting European Protected Species to satisfy the three derogation tests set out in the Conservation of Habitats and Species Regulations 2017(as amended) for licensing to permit otherwise unlawful activities.

The Three tests of Derogation are as follows:

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Test 1 - Overriding Public Interest

The overriding public interest of the proposed development project is derived from the provision of some economic benefits for local builders and suppliers. The development would be a replacement of the existing barn that already has permission to be converted to residential under Class Q. The submitted PHASE 2 BAT SURVEYS Report also outlines mitigation and enhancement consisting of appropriate supervision during construction, appropriate use of scaffolding as well as new bat roosting provision (a telegraph pole to be erected in the vicinity of the barn onto which three maternity style slot boxes (Kent or similar) will be erected as mitigation, four access slots on proposed timber cladding 20mm x 150mm, three bat boxes on the proposed dwelling).

Test 2 - No Satisfactory Alternative

The proposal is to replace the existing building. The only alternative to this proposal would be to leave the existing building as it is. This option would be a set-back, despite the extant Class Q permission for conversion, to the property owner (Natural England give weight to the personal costs of the applicant). The economic benefit from the construction works associated with the replacement building would also be lost compared to refurbishment.

Test 3 - Maintaining A Favourable Conservation Status

The third test, maintaining a favourable conservation status for the local protected species population, is shown to be possible for the development given the identified roosts and mitigation/enhancement outlined within the submitted report.

Based on the information provided within the submitted reports it is also important to note the fact that Natural England give weight to the personal costs of the applicant. It is therefore considered that a license is likely to be granted and that the scheme therefore passes the test of derogation.

It is recommended that any approval of the works should only be subject to a planning condition to ensure that a mitigation licence is secured prior to commencement and the compensation is delivered on site. Accordingly, it is recommended that this be controlled by way of planning condition.

Therefore, the application is considered to be in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 and DM19 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.

Biodiversity Net Gain

This application benefits from the minor sites exemption as the application was submitted prior to this being mandatory in April 2024.

Protected Sites

The site is not within the Nutrient Neutrality (NN) catchment area, but it is in close proximity to the western limits of the Wensum SAC catchment. The application form states that a package treatment plant would be used but it was unknown if the drainage would connect up to systems already present. The Agent has confirmed it is the intention to connect up to the

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existing package treatment plant. Therefore, nothing further is required as the BCKLWN Ecologist confirmed that this arrangement would not raise any Nutrient Neutrality issue.

Trees

Whilst this application would result in the loss of the node of pine trees adjacent to the existing barn, the Arboricultural Officer raises no objection. They state “the trees are unlikely to justify a Tree Preservation Order due to the presence of many other trees in the area to the east of the site, which in part mitigates the loss of these trees. Views will be opened up of the trees to the rear on higher ground”.

Based on this, any approval would have a tree projection condition as well as a landscaping condition to ensure remaining trees are protected and an appropriate scheme with tree planting is delivered onsite. Therefore, the application is considered to be in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.

Highway Safety:

No objection is raised by Norfolk County Council Highways in terms of the new access, subdivision or parking for either the proposed or host dwelling. Conditions and an informative are recommended which would be included on any approval regarding: specification of new access, obstructions near the access, visibility splays, turning area and an informative regarding works within the public highway. Therefore, the application is considered to be in accordance with Policy CS11 of the Core Strategy 2011, DM17 of the Site Allocations and Development Management Policies Plan 2016 as well as the NPPF.

Flood Risk and Drainage:

The application site is located within Flood Zone 1, the area with the lowest risk of flooding. Mapping also shows that the site is not at risk of surface water flooding. Based on this, no further information is required.

Foul drainage would be as outlined above, and no further information is needed on this basis.

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

Removal of Permitted Development Rights

Permitted development rights regarding the enlargement, improvement or other alteration to the dwelling house, additions to the roof of the dwellinghouse, buildings incidental to the enjoyment of the dwellinghouse and enlargement of a dwellinghouse by construction of additional storeys 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 wider countryside.

Response to Third Party Objections

These comments relate to the previous scheme and are addressed as such, any new objection to the current scheme received after the finalisation of this report will be included and addressed in late representations.

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Issues relating to the principle of development and the 'fall back position', form and character, neighbour amenity, impact on trees, ecology and highways/parking are addressed within the above report.

In terms of the loss of the barn and storage, there is an existing barn on the host dwellings plot, but it is not directly relevant or material to the consideration of this specific application. Any further barn or development would be subject to separate consideration where relevant or required.

While the required ecology survey was not initially carried out, this has now been completed to the satisfying of the BCKLWN Ecologist. In addition, the previous Class Q barn would not have been subject to this as it is not part of the requirements for that legislation – separate to a full planning application.

As stated, the impact on neighbour amenity is considered acceptable and is addressed within the above report. If the neighbouring owners wish to separately landscape their plot differently to the current situation, this would be a matter outside of the scope of this application. However, the impact is considered acceptable as outlined based on separation to the boundary and overlooking etc notwithstanding.

Lighting is conditioned as outlined however, based on the existing residential uses an element of light is to be expected and cannot be fully resisted.

In terms of noise pollution, the use of a residential dwelling is considered acceptable in the context of the site and immediate locality. However, should noise be an issue this may be a statutory nuisance covered by separate legislation outside of the scope of this application.

CONCLUSION

Overall, it is considered that the proposed development would be acceptable in principle due to the 'real prospect' of the applicant implementing the fall-back position under the previous Class Q approval: 23/00622/PACU3. In addition, a new dwelling, in its amended form, would have an acceptable visual impact taking a balanced view. Materials would be in keeping with the character of the locality and the overall dwelling would be acceptable in terms of wider landscape impact.

In addition, it is also considered that the proposal has an acceptable impact on the neighbouring dwelling to the west as well as the host dwelling to the east. 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, DM5, DM15 and DM17 of the Site Allocation and Development Management Policies Plan 2016 as well as the National Planning Policy Framework and National Design Guide.

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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 ELEVATIONS, Drawing Number: DAV01.01.11 (received 16/12/24).
 - PROPOSED FLOOR PLANS AND SECTIONS, Drawing Number: DAV01.01.10 Rev: E
 - PROPOSED SITE PLAN, Drawing Number: DAV01.01.08 Rev: F
- 2 Reason: For the avoidance of doubt and in the interests of proper planning.
- 3 Condition: Prior to commencement of the development hereby permitted all Tree Protection Measures shall be implemented in complete accordance with the approved Tree Protection Plan project number 722/23 drawing number TPP01 dated 14/03/2024 and Arboricultural Method Statement by Richard Morrish Associates Ltd. The erection of fencing and or ground protection for the protection of any retained tree shall be carried out before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing and or ground protection shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing and or 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.
- 3 Reason: To ensure the existing trees 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 and the NPPF.
- 4 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.

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

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originally planted, unless the Local Planning Authority gives written approval to any variation.

- 4 **Reason:** To ensure that the development is properly landscaped in the interests of the visual amenities of the locality in accordance with Policy CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.
- 5 **Condition:** Prior to the commencement of works on the house a Natural England Bat Mitigation Licence shall be secured from Natural England.

In addition, the development hereby permitted shall be carried out in strict accordance in regard to the 6.0 MITIGATION /ENHANCEMENT STRATEGY within the submitted PHASE 2 BAT SURVEYS FINAL, Authored by Philip Parker Associates Ltd, Report ref: P2024-64 R2 Final. This shall include but not be limited to:

- Appropriate Supervision.
 - Use of scaffolding.
 - New bat roosting provision (a telegraph pole to be erected in the vicinity of the barn onto which three maternity style slot boxes (Kent or similar) will be erected as mitigation, four access slots on proposed timber cladding 20mm x 150mm, three bat boxes on the proposed dwelling).
- 5 **Reason:** To ensure that the development takes place in accordance with the principles and parameters contained with the PHASE 2 BAT SURVEYS FINAL, Authored by Philip Parker Associates Ltd, Report ref: P2024-64 R2 Final in accordance with Policy CS08 and CS12 of the Core Strategy 2011 as well as DM15 and DM19 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.
 - 6 **Condition:** Prior to the installation of any outdoor lighting, a detailed scheme shall be submitted to and approved in writing by the Local Planning Authority which shall be in accordance with the recommendations within Section 6.13 Lighting of the submitted PHASE 2 BAT SURVEYS FINAL, Authored by Philip Parker Associates Ltd, Report ref: P2024-64 R2 Final. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height/locations of the lighting, the extent/levels of illumination over the site and on adjacent land and the measures to contain light within the site. The scheme shall be implemented in accordance with the approved scheme and thereafter maintained and retained as agreed.
 - 6 **Reason:** In the interests of minimising light pollution, impact on protected species and to safeguard the amenities of the locality in accordance with Policy CS08 and CS12 of the Core Strategy 2011, Policy DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.
 - 7 **Condition:** Prior to first occupation 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. Any impermeable boundary treatment must include signed egress for small mammals i.e. hedgehog holes.

The boundary treatment shall be completed before the occupation hereby permitted is commenced or before the building is occupied or in accordance with a timetable to be

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approved in writing by the Local Planning Authority. The development shall be carried out in accordance with the approved details.

- 7 Reason: To ensure that the development is compatible with the amenities of the locality in accordance with Policy CS08 and CS12 of the Core Strategy 2011 as well as DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.
- 8 Condition: Notwithstanding the provisions of Schedule 2, Part 1, Class A, B, C, E and AA 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, buildings incidental to the enjoyment of the dwellinghouse and enlargement of a dwellinghouse by construction of additional storeys shall not be allowed without the granting of specific planning permission.
- 8 Reason: To protect the residential amenities of the occupiers of nearby property as well as the visual amenities of the locality in accordance with Policy CS08 and CS12 of the Core Strategy 2011, DM15 of the Site Allocations and Development Management Policies Plan 2016 and the NPPF.
- 9 Condition: Prior to the first occupation of the development hereby permitted the vehicular access over the verge shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority in accordance with the highways specification (TRAD 4) 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.
- 9 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.
- 10 Condition: Any access gates/bollard/chain/other means of obstruction shall be hung to open inwards, set back, and thereafter retained a minimum distance of 5 metres from the near channel edge of the adjacent carriageway. Any sidewalls/fences/hedges adjacent to the access shall be splayed at an angle of 45 degrees from each of the outside gateposts to the front boundary of the site.
- 10 Reason: In the interests of highway safety enabling vehicles to safely draw off the highway before the gates/obstruction is opened in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.
- 11 Condition: Prior to the first occupation/use of the development hereby permitted visibility splays shall be provided in full accordance with the details indicated on the approved plan. The splay(s) shall thereafter be maintained at all times free from any obstruction exceeding 0.6 metres above the level of the adjacent highway carriageway.
- 11 Reason: In the interests of highway safety in accordance with the principles of the NPPF in accordance with Policy CS11 of the Core Strategy 2011 and the NPPF.

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- 12 Condition: Prior to the first occupation/use of the development hereby permitted the proposed access/on-site car and cycle parking/servicing/loading/unloading/turning/waiting area shall be laid out, demarcated, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.
- 12 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.
- 13 Condition: Notwithstanding approved plans, 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.
- 13 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and the principles of the NPPF.
- 14 Condition: No development shall commence on any external surface of the development until a sample panel of the brick and flint to be used for the external surfaces of the development 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.
- 14 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and the principles of the NPPF.
- 15 Condition: Notwithstanding approved plans, 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.
- 15 Reason: To ensure a satisfactory external appearance and grouping of materials in accordance with DM15 of the Site Allocations and Development Management Policies Plan 2016 as well as Policy CS12 of the Core Strategy 2011 and the principles of the NPPF.
- 16 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

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approved remediation scheme, a verification report must be prepared, which is subject to the approval in writing of the Local Planning Authority.

- 16 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 Polies Plan 2016 and the NPPF.
- 17 Condition: Before the first occupation of the building hereby permitted, the windows at first floor serving a bathroom to the western elevation shall be fitted with obscured glazing and any part of the windows that are less than 1.7 metres above the floor of the room in which it is installed shall be non-opening. The windows shall be permanently retained in that condition thereafter.
- 17 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 and the NPPF.