

From: [Ruth Redding](#)
To: [PScan1](#)
Cc: [Lucy Smith](#)
Subject: FW: Invalid Letter 21/01543/F
Date: 10 August 2021 15:39:07

From: Peter Jermany <Peter.Jermany@West-Norfolk.gov.uk>
Sent: 10 August 2021 15:29
To: Kelly Sensus <kelly@sensusarchitecture.co.uk>
Cc: Ruth Redding <ruth.redding@west-norfolk.gov.uk>
Subject: Re: Invalid Letter 21/01543/F

Hi Kelly

The charge is applied per new dwelling or unit of holiday accommodation. There is no existing dwelling on the site, so the fee is payable. If it were a replacement dwelling it would not be required. Yes, they could, of course, build out their existing permission which pre-dates the habitat fee requirement, but any new applications made after that time have to meet the policy requirements in force at that time. I can't really say any more than that.

Regards

Peter

Peter Jermany
Principal Planner & Water Management Officer
Planning Policy Team - Environment & Planning
Borough Council of King's Lynn & West Norfolk

T: 01553 616239 Local Plan (Tues., Thurs., Fri.) (Mon. & Wed. Flood & Water)
E: peter.jermany@west-norfolk.gov.uk
W: www.west-norfolk.gov.uk

From: Kelly Sensus <kelly@sensusarchitecture.co.uk>
Sent: 10 August 2021 15:16
To: Peter Jermany <Peter.Jermany@West-Norfolk.gov.uk>
Cc: Ruth Redding <ruth.redding@west-norfolk.gov.uk>
Subject: Re: Invalid Letter 21/01543/F

Dear Peter,

Thank you for your email.

Please can you confirm that what you saying is that where a site has an extant and implemented planning for a dwelling it carries no weight with regard to being an existing consented dwelling

and that, for the purposes of HRA, it is not about whether there is a net gain (because clearly here there is not) it's about whether the consented dwelling is complete? / substantially complete ?

So if they continued to build out the dwelling they have permission for, which has building regulation approval and evidence of a material start, at what stage could this permission carry weight for the purposes of HRA?

Please trust me that I'm not trying to be difficult, I just don't consider this request to be reasonable given that the applicant has an existing consent and therefore there is no net gain / no additional harm that would arise over and above the existing consented scheme. The fact that the permission hasn't yet been built out seems to be immaterial as the end result will always be one dwelling ?

Kindest regards

Kelly

On 10 Aug 2021, at 14:25, Peter Jermany <Peter.Jermany@west-norfolk.gov.uk> wrote:

Dear Kelly

Ruth discussed the habitat fee requirement with me earlier this afternoon and I can confirm that a payment is required as a new dwelling would be created where none existed before.

Regards

Peter

Peter Jermany
Principal Planner & Water Management Officer
Planning Policy Team - Environment & Planning
Borough Council of King's Lynn & West Norfolk

T: 01553 616239 Local Plan (Tues., Thurs., Fri.) (Mon. & Wed. Flood & Water)

E: peter.jermany@west-norfolk.gov.uk

W: www.west-norfolk.gov.uk

From: Ruth Redding <ruth.redding@west-norfolk.gov.uk>

Sent: 10 August 2021 13:26

To: Peter Jermany <Peter.Jermany@West-Norfolk.gov.uk>

Subject: FW: Invalid Letter 21/01543/F

Hello Peter

Further to our conversation this morning, please could you respond to this email please.

Thank you.

Regards

Ruth

Environment and Planning
Borough Council of King's Lynn and West Norfolk

T: 01553 616234

E: borough.planning@west-norfolk.gov.uk

W: www.west-norfolk.gov.uk

Submit a planning application on-line: <http://www.planningportal.gov.uk>

borough.planning@west-norfolk.gov.uk or telephone 01553 616234.

From: Kelly Sensus <kelly@sensusarchitecture.co.uk>

Sent: 10 August 2021 13:04

To: Ruth Redding <ruth.redding@west-norfolk.gov.uk>

Subject: Re: Invalid Letter 21/01543/F

Dear Ruth

I have reviewed the website and my understanding it is new development that has an impact and there is no net gain here so I am asking for clarification on your validation requirement please.

Kind regards

Kelly

Sent from my iPhone

On 10 Aug 2021, at 13:02, Ruth Redding <ruth.redding@west-norfolk.gov.uk> wrote:

Hello

Please see the Council's website at [Developer contributions | Developer contributions | Borough Council of King's Lynn & West](#)

[Norfolk \(west-norfolk.gov.uk\)](http://www.west-norfolk.gov.uk)

Kind regards

Ruth

Environment and Planning
Borough Council of King's Lynn and West Norfolk

T: 01553 616234

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W: www.west-norfolk.gov.uk

Submit a planning application on-line:
<http://www.planningportal.gov.uk>

borough.planning@west-norfolk.gov.uk or telephone 01553 616234.

From: Kelly Sensus <kelly@sensusarchitecture.co.uk>

Sent: 10 August 2021 12:55

To: Ruth Redding <ruth.redding@west-norfolk.gov.uk>

Subject: Re: Invalid Letter 21/01543/F

Dear Ruth

Please can you set out your criteria for where HRA is required. Is it all new development ? Or additional dwellings ? I'm just understanding where the HRA is required if there is no net gain. So what is the harm that arises from this development ? If you could please refer to this in the HRA guidance that would be helpful.

Kind regards

Kelly

Sent from my iPhone

On 10 Aug 2021, at 12:51, Ruth Redding
<ruth.redding@west-norfolk.gov.uk> wrote:

Good Afternoon

Thank you for your email and attachment.

I appreciate that you have an 'extant' permission from 2015, but you are making a brand new application and

this must be registered in accordance with the current criteria for validation, regardless of previous applications. In addition, I have clarified with my Principle Planning Officer this morning regarding the Habitat Mitigation Fee who has agreed, as this is a new application, the fee is applicable.

Therefore, please provide the following information, in order for your application to be submitted;

1. Contaminated Land Questionnaire (unfortunately, this wasn't attached to your email as stated?)
2. Habitat Fee (refundable on request, should the application be refused)
3. Flood Risk Matrix (editable version attached).
4. Section-through new dwelling
5. Item 7. On my colleagues email (slight error on the proposed ground floor plan)

Kind regards

Ruth

Environment and Planning
Borough Council of King's Lynn and West Norfolk

T: 01553 616234

E: borough.planning@west-norfolk.gov.uk

W: www.west-norfolk.gov.uk

Submit a planning application on-line:

<http://www.planningportal.gov.uk>

**borough.planning@west-norfolk.gov.uk or
telephone 01553 616234.**

From: Kelly <kelly@sensusarchitecture.co.uk>

Sent: 10 August 2021 11:36

To: Ruth Redding <ruth.redding@west-norfolk.gov.uk>

Cc: PScan1 <pscan1@west-norfolk.gov.uk>; Joanne Rahman <joanne.rahman@west-norfolk.gov.uk>

Subject: RE: Invalid Letter 21/01543/F

Dear Ruth,

Thank you for your email.

In terms of the items listed:

1. I have attached a simplified Contamination Form. Please can you complete this to the best of your knowledge and return it.
Completed and attached. **Attached thank you.**

2. As this is a new application I will require payment of £55 for the Habitat Mitigation Fee. If the application is refused and no appeal received within 6 months, a refund of the £55 Habitat Fee will be refunded on request. **Please can you advise further what the process is as my understanding is that the HRA applies where there is a net gain. As there is an extant permission there is no net gain.**

3. The Site lies within an area at Risk of Flooding. The Environment Agency are a Statutory Consultee for flooding, therefore a Full Flood Risk Assessment will be required.
Please find attached our FRA.

4. In addition to the FRA, please complete the attached simplified Flood Risk Matrix. The site lies within Flood Zones 2 and 3A and is subject to Tidal Breach. **Do you have an editable version or word document please?**

5. I require a section through of the proposed dwelling, in order to ascertain finished floor levels. Please refer to the sections provided in the extant 2015 application. The levels remain as shown in this drawing. **This permission can and has been implemented. An application to make the required changes could have been submitted under s73, however, the applicant has opted to make a full application. The 2015 has commenced within the time frame required.**

Kind regards

Kelly

From: Ruth Redding <ruth.redding@west-norfolk.gov.uk>

Sent: 10 August 2021 11:02

To: 'kelly@sensusarchitecture.co.uk'

<kelly@sensusarchitecture.co.uk>

Cc: PScan1 <pscan1@west-norfolk.gov.uk>; Joanne Rahman <joanne.rahman@west-norfolk.gov.uk>

Subject: Invalid Letter 21/01543/F

Good Morning

Thank you for your email and CIL Form, which I have now added to the application.

Unfortunately, as you have made a new application for a new dwelling, I require information in order to validate the application, regardless of the permission you received in 2015. As you are unable to fully implement the 2015 permission, it will result in a new permission.

Therefore, I have attached a copy of the email and Invalid Letter for your convenience and will respond in order;

1. CIL Form – received thank you.
2. I have attached a simplified Contamination Form. Please can you complete this to the best of your knowledge and return it.
3. As this is a new application I will require payment of £55 for the Habitat Mitigation Fee. If the application is refused and no appeal received within 6 months, a refund of the £55 Habitat Fee will be refunded on request.
4. The Site lies within an area at Risk of Flooding. The Environment Agency are a Statutory Consultee for flooding, therefore a Full Flood Risk Assessment will be required.
5. In addition to the FRA, please complete the attached simplified Flood Risk Matrix. The site lies within Flood Zones 2 and 3A and is subject to Tidal Breach.
6. I require a section through of the proposed dwelling, in order to ascertain finished floor levels.
7. Please see attached.

Unfortunately, I am unable to validate this application without the above information.

Regards

Ruth

Environment and Planning

Borough Council of King's Lynn and West Norfolk

T: 01553 616234

E: borough.planning@west-norfolk.gov.uk

W: www.west-norfolk.gov.uk

Submit a planning application on-line:

<http://www.planningportal.gov.uk>

**borough.planning@west-norfolk.gov.uk or
telephone 01553 616234.**

From: Kelly <kelly@sensusarchitecture.co.uk>

Sent: 06 August 2021 13:00

To: Borough Planning <borough.planning@West-Norfolk.gov.uk>

Cc: PScan1 <pscan1@west-norfolk.gov.uk>

Subject: RE: Invalid Letter 21/01543/F

Dear Lesley,

Please find attached the completed CIL form. We trust this is now sufficient for the application to be registered.

Many thanks

Kelly

From: Kelly <kelly@sensusarchitecture.co.uk>

Sent: 06 August 2021 11:19

To: 'Borough Planning' <borough.planning@West-Norfolk.gov.uk>

Cc: 'PScan1' <pscan1@west-norfolk.gov.uk>

Subject: RE: Invalid Letter 21/01543/F

Dear Lesley,

Thank you for your email. Please can you let me know where to look as the link takes me here and it isn't clear where to find the form:

<image001.jpg>

I am not sure I agree with you on points 2 and 3 .

Point 2: There is an existing permission on site. As part of the two previous applications NO concerns were raised regarding land contamination. In existing the

permission has been implemented and the current application seeks to make changes to this. This requirement is not necessary.

Point 3: Are you saying that where there is an existing dwelling on site - your habitat regulations still require an additional payment? As I understand it the fee relates to additional net gain. There is no additional net gain and therefore I would appreciate your confirmation on this matter.

I look forward to hearing from you further,

Kind regards

Kelly

-----Original Message-----

From: Borough Planning <borough.planning@West-Norfolk.gov.uk>

Sent: 06 August 2021 11:05

To: 'kelly@sensusarchitecture.co.uk' <kelly@sensusarchitecture.co.uk>

Cc: PScan1 <pscan1@west-norfolk.gov.uk>

Subject: FW: Invalid Letter 21/01543/F

Good Morning

Thank you for your email.

1. The CIL forms are available online by using the following link: https://www.west-norfolk.gov.uk/homepage/185/community_infrastructure_levy

2. This is a new application for a dwelling and this is a standard requirement for this contamination questionnaire to be completed on all new planning applications for a new dwelling.

3. The previous planning consent is extant and you have been required to submit a new application for his dwelling. All new planning applications for a new dwelling require the Habitat fee to be paid.

Regards

Lesley Raby
Technical Support Officer

Borough Council of King's Lynn and West Norfolk

E: borough.planning@west-norfolk.gov.uk

W: www.west-norfolk.gov.uk

Submit a planning application on-line:

<http://www.planningportal.gov.uk>

borough.planning@west-norfolk.gov.uk or telephone
01553 616234

-----Original Message-----

From: Kelly <kelly@sensusarchitecture.co.uk>

Sent: 05 August 2021 11:45

To: Borough Planning <borough.planning@West-Norfolk.gov.uk>

Subject: RE: Invalid Letter 21/01543/F

Dear Planning

In terms of Item 1 - please can you send me the relevant form.

In terms of Item 2 - this site has an extant consent for a dwelling which has been commenced. There were no previous request and therefore we do not consider this requirement to be necessary or reasonable.

Item 3 - there is an existing consent for a dwelling and therefore there is no net gain that would arise from this development.

Kind regards

Kelly

-----Original Message-----

From: borough.planning@west-norfolk.gov.uk

<borough.planning@west-norfolk.gov.uk>

Sent: 05 August 2021 11:34

To: kelly@sensusarchitecture.co.uk

Subject: Invalid Letter 21/01543/F

Planning Invalid Please see attached

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217114

<SFRA Proforma.docx>