

AGENDA ITEM NO: 8/2(d)

Parish:	Grimston	
Proposal:	Proposed site for construction of two log cabin holiday lets	
Location:	Hayfields 11A Chequers Road Pott Row Norfolk	
Applicant:	John Wicks	
Case No:	16/02117/F (Full Application)	
Case Officer:	Mr C Fry	Date for Determination: 9 February 2017

Reason for Referral to Planning Committee – The views of Grimston Parish Council is contrary to the Officer recommendation.

Case Summary

The application seeks consent to demolish the existing structures on the site and provide 2 log cabins for holiday accommodation.

The majority of the site is outside of the development boundary of Pott Row. Pott Row combined with Grimston and Gayton is a Key Rural Service Centre according to Policy CS02 of the Local Development Framework Core Strategy

The application site measures 942m² is rectangular in shape and is accessed to the side of the donor property, Hayfields. These are wooden and concrete block structures on the site.

Key Issues

Principle of Development
Impact upon Visual Amenity
Impact upon Neighbour Amenity
Highway Safety
Protected Species
Other Material Considerations

Recommendation

APPROVE

THE APPLICATION

The application site straddles the development boundary of Pott Row. The access to the site is contained within the development boundary with the buildings on the site outside of the development boundary.

Pott Row combined with Gayton and Grimston is a Key Rural Service Centre which can accommodate limited growth of a scale and nature appropriate to secure the sustainability of each settlement.

Access to the site is provided to the west of the donor property, Hayfields. The access is flanked by 2m close boarded fencing and is gated. The access point is higher than the Chequers Road.

Beyond the access gates, the site opens up into a field that contains stables; a concrete sectional building and an open fronted cart-shed building that flank the eastern side of the site. The western boundary of the site contains established hedging and the northern boundary is enclosed by fencing. Conifer hedging runs along the eastern boundary but there is no southern boundary at present.

The surrounding land use is predominantly residential with the exception of agricultural fields beyond the site and to the west of the site.

The proposal seeks consent to demolish the buildings on the site and to provide two log cabins for holiday accommodation. The log cabins will be sited adjacent to the western boundary of the site and will be orientated on a northwest-south east axis. The log cabins will remain in association with the applicant, who is the owner of the donor property.

The log cabins will be served by extending the existing driveway.

SUPPORTING CASE

The application has been supported by a Planning Statement and a Business Plan:-

Planning Statement

- Comprising of 0.09ha of land, the site is located on the southern side of Chequers Road, Pott Row, approximately 220m from the junction with Lynn Road to the east and 440m to the west of the junction with chapel Road, Pott Row.
- The buildings that are contained on the site are redundant and somewhat rundown, including a former stable block, a larger general use post war building and a former cartshed/storage building. The existing buildings are constructed of timber and concrete panel, with corrugated iron and fibre cement sheeting.
- Following demolition of the buildings, two log cabins with a footprint of 49m² each self-contained with 2 bedrooms. The design of the units minimises overlooking and loss of privacy
- Access to the site is between no.11 and Hayfields which is bounded by 2m high fencing. No windows are contained in the flank elevation of no.11. The access route would be of a width of 4.2m for a maximum length of 19m. Adequate parking and turning is provided within the site.
- Dwellings have recently been approved at 15 Chequers Road, 15/01999/F following the demolition of large scale barns. The extent of this application site is no deeper than the site which has been permitted residential development.
- The proposed cabins are of subordinate scale to the existing buildings on the site and would have reduced impact on the local form and character of the area.
- The site is located within a sustainable location close to the centre of the settlement, which has regular bus service between Kings Lynn and the surrounding villages, public houses and other services.
- The site is contained within flood zone 1

Business statement

- Policy DM11 of the Local Plan allows for touring and permanent holiday sites subject to a number of criteria including a business plan demonstrating how the site will be managed and how it will support tourism or tourist related uses.
- The applicants occupy the adjacent dwelling and the occupiers of the holiday accommodation would be closely monitored, all vehicle movements to and from the site can be overseen and appropriately checked in accordance with terms of any permission.
- Two log cabins would be modest proposal and allow for reasonable and non-congested access arrangement, in control over the development and occupiers necessary to ensure that there would be no detrimental impact on the applicants and adjoining residents.
- Furthermore, the physical character and appearance of the development is a visual and structural improvement upon the buildings which presently exist
- The limited level of the development proposed indicates that the proposal would supplement the existing established business (John Wicks Caravans), albeit quite different in character in form to that currently operation off-site.
- The site unlike some other tourism proposals within the borough, the application site is not situated in an isolated location, having ready access to local facilities and public transport, in addition to local visitor attractions.
- The applicant is completely willing to accept reasonable conditions restricting occupation of the holiday chalets accordingly and would personally keep a register of occupiers and periods of occupation as required under policy DM11.

PLANNING HISTORY

15/01155/CU: Application Withdrawn: 27/08/15 - Change of use from agricultural small holding to caravan and motorhome storage yard

RESPONSE TO CONSULTATION

Parish Council: OBJECTION outside of the development boundary

Highways Authority: NO OBJECTION subject to conditions

Arboricultural Officer: NO OBJECTION subject to condition

Environmental Health & Housing – Environmental Quality: NO OBJECTION subject to conditions in regards to asbestos

Environmental Health & Housing – CSNN: NO OBJECTION subject to conditions

REPRESENTATIONS

None received

NATIONAL GUIDANCE

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

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

LDF CORE STRATEGY POLICIES

CS01 - Spatial Strategy

CS02 - The Settlement Hierarchy

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

CS12 - Environmental Assets

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM1 – Presumption in Favour of Sustainable Development

DM2 – Development Boundaries

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main planning considerations in regards to this application are:-

- Principle of Development
- Impact upon Visual Amenity
- Impact upon Neighbour Amenity
- Highway Safety
- Protected Species
- Other Material Considerations

Principle of Development

The site straddles the development boundary of Pott Row. The access to the site is contained within the development boundary and the remainder of the site contained outside of the development boundary.

Pott Row combined with Grimston and Gayton is a Key Rural Service Centre which can accommodate limited growth of a scale and nature appropriate to secure the sustainability of each settlement, will be supported within the development rural.

Policy DM 2 of the Site Allocation and Development – Development Boundaries – states that areas outside development boundaries (excepting specific allocations for development) will be treated as countryside where new development will be more restricted and will be limited to that identified as suitable in rural areas by other policies of the local plan, including:- tourism facilities (Policy CS10)

Policy CS10 – The Economy states that the Council will permit the development of new tourism accommodation in rural areas subject to the following being met:-

- It should be located in or adjacent to our villages and towns
- It should be of a high standard of design in line with national guidance;
- Will not be detrimental to the landscape
- Mechanisms in place to permanently retain the tourism related use.

This particular proposal relates to holiday accommodation, which is a tourist facility in line with Policy CS10 and Policy DM2. How tourism accommodation is considered is also set out in Policy DM11. DM11 states

Proposals for new holiday accommodation sites or units will not normally be permitted unless:-

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

When assessing the proposal against the terms of the policy, the proposal has been supported by a business plan. The plan outlines that the applicant living in the adjacent dwelling will be in charge of the day to day operations (cleaning the log cabins, landscape maintenance, booking in and out of patrons) of the site. It is currently not the intention to employ anyone with the operations of the site. As mentioned in the Planning Statement and the Business Plan, the site is in a sustainable location as there are recreational facilities in the form of Public Houses, a convenience shop, a health spa/leisure complex and a playing field close by and there is a bus service to King's Lynn for other tourist attractions. The site is also within a short cycling distance to King's Lynn and historical interests such as the queen's residence at Sandringham. There will obviously be reliance on the motor car to visit places, but the Planning Practice Guidance does acknowledge that there is some reliance on the motor car for people in the rural locality.

Design, impact upon amenity and highway safety issues is discussed below.

The site is within flood zone 1, the least restrictive flood zone and is not contained within the Coastal Hazard Zone.

It is considered that the proposal could be supported in principle depending on other material considerations.

Impact upon Visual Amenity

The existing buildings are in need of refurbishment and will be removed from the site and replaced by low height log cabins set behind the existing built form on Chequers Road.

There are no other public vantage points of the site.

The log cabins are an acceptable design.

Accordingly there is minimal impact in terms of visual amenity and there is no requirement to supplement existing boundary treatments or to provide southern boundary treatment to the site.

Impact upon Neighbour Amenity

No.11 Chequers Road has no windows in its eastern elevation (adjacent to the access track) and has 2m high close boarded fencing enclosing its private amenity space. The nearest log cabin will be set 10m away from the shared boundary with this particular neighbour and extends in a south easterly direction away from this neighbour. The log cabin is relatively low in height at 2.8m to ridge. With the proposed use of the site being a restricted residential use, controlled by way of condition, in a residential area and the scale and siting of the log cabin structure, it is considered that there would be no detrimental impact upon this neighbour's amenity as a result of the proposal.

Three new dwellings have been permitted on the site, to the west, 15/01999/F, with one dwelling flanking the eastern boundary of that particular site. Whilst, this particular dwelling known as "cart-shed", has habitable room windows in its east elevation, only the northernmost log cabin will be in close proximity to these habitable room windows. However, the log cabin is not hard onto the boundary and is orientated away from this boundary. The southernmost log cabin is towards the rear of this neighbour's garden area. With the log cabins at only 2.8m and the bulk extending away from this shared boundary, this neighbour would not be detrimentally affected by the proposal.

The Environmental Health and Housing – Community Safety Neighbourhood and Nuisance recommend a construction management plan, which includes timescale and proposed hours of the construction phase of the development be conditioned. Given the scale of the development this condition is not considered to be reasonable and is accordingly not recommended to be imposed on the decision notice.

Highway Safety

The proposal utilises an existing access which serves the barns and provides adequate turning facilities on the site to enable the cars to leave the site in forward gear. The Highways Officer has no objection to the arrangements subject to conditions that improved the vehicular access to the site, removal of permitted development rights for gates, bollards or other means of obstruction access the access, and the development being laid out in accordance with the approved plan.

Impact upon Protected Species

The site contains 3 buildings; one stable building, one enclosed concrete sectional building (the largest of the three) and one open-fronted corrugated barn.

The site has a hedgerow on the western boundary and a conifer hedging along the eastern boundary.

A phase 1 protected species report has accompanied the application which states the following:-

- No bat evidence was noted in either of the outbuildings and the buildings have low roost potential
- There was some potential that the hedgerows could support foraging hedgehog but no direct evidence was noted
- In regards to breeding birds – an old swallow nest was found in the stable block.
- No further surveys are required.
- The works are not required to have an EPS license

Mitigation in the form of additional bat roosts, restriction on the timing of the demolition of the buildings, checking for birds prior to the commencement of the demolition of the buildings are all to be conditioned.

Other Material Considerations

The proposal does not cause any material impact upon Roydon SSSI.

A condition will be imposed that this hedgerow is protected during the construction period of the development, as recommended by the Arboricultural Officer.

Surface Water will be via soakaway and Foul Water by means of package treatment plant.

CONCLUSION

It is your officer's opinion that in line with Policy DM 2 and DM11 of the Site Allocation and Development Management Policies Plan that this proposal for tourist accommodation is acceptable. The proposal has been accompanied by a business plan that details how the site will be managed and how the proposal relates to supporting other tourist uses within the area. The site is in a sustainable location and the log cabins are of a scale and siting that overcomes any visual or neighbour amenity issues.

There are no outstanding issues that cannot be addressed by way of condition.

The proposal is therefore recommended for approval subject to the following conditions.

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 Site Plan - dwg. 1373 dated October 2016 received 5th December 2016.
 - Proposed Elevations of log cabins received 5th December 2016.

- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The log cabins hereby approved shall be held at all times in conjunction with the land and buildings outlined in blue on plan received 5th December 2016.
 - The use of the log cabins hereby approved shall be limited to occupation for holiday accommodation purposes only and shall be made available for rent or as a commercial holiday let, and
 - The accommodation shall be for short stay accommodation only (no more than 28 days per single let) and shall not be occupied as a person's sole or main place of residence, and
 - The owners / operators shall maintain an up-to-date register of lettings/occupation and shall make the register available at all reasonable times to the Local Planning Authority.

At no time shall the log cabins be used for any other business or commercial purpose.

- 3 Reason In order that the Local Planning Authority may retain control over the development, in the interests of the amenities of the locality, in accordance with the NPPF.
- 4 Condition No development or other operations shall commence on site until the existing hedgerow on the western boundary shown to be retained on the proposed site plan drawing no. 1373 has been protected in accordance with a scheme that has been submitted to and approved in writing by the Local Planning Authority. The scheme shall provide for the erection of fencing for the protection of any retained tree or hedge before any equipment, machinery, or materials are brought on to the site for the purposes of development or other operations. The fencing shall be retained intact for the full duration of the development until all equipment, materials and surplus materials have been removed from the site. If the fencing is damaged all operations shall cease until it is repaired in accordance with the approved details. Nothing shall be stored or placed in any fenced area in accordance with this condition and the ground levels within those areas shall not be altered, nor shall any excavations be made without the written approval of the Local Planning Authority.
- 4 Reason To ensure that existing trees and hedgerows are properly protected in accordance with the NPPF. This needs to be a pre-commencement condition given the potential for damage to protected trees during the construction phase.
- 5 Condition Prior to the commencement of the development hereby approved, a survey specifying the location and nature of asbestos containing materials and an action plan detailing treatment or safe removal and disposal of asbestos containing materials shall be submitted to and approved by the local planning authority. The details in the approved action plan shall be fully implemented and evidence shall be kept and made available for inspection at the local planning authority's request.
- 5 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.

This also needs to be a pre-commencement condition given the fundamental details linked to asbestos containing materials which need to be planned for at the earliest stage in the development.

- 6 Condition Prior to first occupation of the development hereby approved evidence of the treatment or safe removal and disposal of the asbestos containing materials at a suitably licensed waste disposal site shall be submitted to and approved by the local planning authority.
- 6 Reason To ensure that risks from land contamination to the future users of the land and neighbouring land are minimised, and to ensure that the site will not qualify as contaminated land under Part 2A of the Environmental Protection Act 1990 in relation to the intended use of land after remediation.
- 7 Condition The buildings to be demolished as shown on existing site plan dwg. 1373 shall take place in accordance with an email received by Philip Parker Associates dated 20th March 2017 received 09:45 and section 6.5 of the Ecological Assessment dated 16th March 2017 unless otherwise agreed in writing by the Local Planning Authority.
- 7 Reason In the interests of safeguarding protected species in accordance with the principles of the NPPF and the Wildlife & Countryside Act 1981.
- 8 Condition Prior to the first use of the cabins hereby approved, bat boxes shall be installed as per section 6.6 of the Ecological report dated 16.03.2017 unless otherwise agreed in writing by the Local Planning Authority.
- 8 Reason In the interests of safeguarding protected species in accordance with the Wildlife & Countryside act 1981.
- 9 Condition The development shall be carried out in accordance with section 6.9 - Breeding birds of the Ecological Assessment dated 16th March 2017 unless otherwise agreed in writing by the Local Planning Authority.
- 9 Reason In the interests of safeguarding protected species in accordance with the Wildlife & Countryside act 1981.
- 10 Condition Prior to the commencement of the use hereby permitted the vehicular access shall be upgraded in accordance with the highway specification dwg. No. trad 5. Arrangement shall be made for surface water drainage to be intercepted and disposed of separately so that it does not discharge from or onto the highway carriageway.
- 10 Reason In the interest of highway safety and traffic movement.
- 11 Condition Notwithstanding the provision of Class A of Schedule 2, Part 2 of the Town and Country Planning (General Permitted Development) (England) Order 2015, (or any Order revoking, amending or re-enacting that Order) no gates, bollard, chain or other means of obstruction shall be erected across the approved access unless details have first been submitted to and approved in writing by the Local Planning Authority.
- 11 Reason In the interests of highway safety.
- 12 Condition Prior to the first occupation of the holiday cabins hereby permitted the proposed access / on-site car parking turning area shall be laid out, levelled, surfaced and drained in accordance with the approved plan and retained thereafter available for that specific use.

- 12 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.