

AGENDA ITEM NO: 8/2(e)

Parish:	Methwold	
Proposal:	Six additional holiday lodges and managers dwelling	
Location:	Thornham Lake Thornham Road Methwold Norfolk	
Applicant:	Client of Ian J M Cable Architectural Design	
Case No:	15/01728/F (Full Application)	
Case Officer:	Clare Harpham	Date for Determination: 24 December 2015 Extension of Time Expiry Date: 11 April 2017

Reason for Referral to Planning Committee – The Highways Authority objects to the application which is at variance with the Officer recommendation

Case Summary

The application is for six additional holiday lodges and a permanent dwelling to be occupied by the owner-manager of the site. The site is an existing business which has fishing lakes and currently has six holiday lodges on site, one of which is currently being utilised by the manager in order to live on-site.

Key Issues

The principle of development
Design and Scale of dwelling
Impact upon the Countryside
Highways Issues
Other material considerations

Recommendation

APPROVE

THE APPLICATION

The site is located to the west of the village of Methwold. The site lies within “Adjacent High Fen Drove” County Wildlife Site (CWS 307). The site comprises of a fishing lake to the north of the site with mature planting surrounding the lake. To the south of the lake lies six existing holiday lodges. South of these existing lodges and closer to Thornham Road is an area of grass. The access into the site lies to the south-west of the site and there is screening along the southern roadside boundary.

The application is for full planning permission for the siting of six additional holiday lodges and a permanent managers dwelling.

SUPPORTING CASE

Thornham Fishing Lake has operated as a fishing lake with holiday lodge accommodation for 9 years since receiving planning permission in 2006 under reference 06/00732/CU for use as commercial fishing lake and siting of six log cabins. Since then the site has developed within a maturing landscape, the fishing lakes having become a successful part of the rural economy with visitors staying year round and employing site owner-manager full time to run the business on site.

In order to sustain the business with further growth it's proposed to provide an additional six log cabins together with a cottage style dwelling for use by the owner-manager who is required on site full time to manage and operate the business.

There is a need to provide on-site owner-manager accommodation to support the operational needs of the business; providing security, receiving and booking in visitors (who can arrive at any time), being present on-site for the safety of visitors, monitoring of unauthorised fishing, maintenance and cleaning of lodges etc.

There are no dwellings in the immediate locality available to serve the operational needs of the business as any dwelling would also need to be accessible for visitors when booking in etc.

The site already has an established use as a commercial fishing lake with holiday accommodation and therefore there will be no overall change to the use of the land as a result of the proposals. The proposal accords with the NPPF by developing a sustainable business and providing a home which can be sustained by the business. The business is profitable and is able to support the modest dwelling with the additional lodges providing additional income.

Para 28 of the NPPF supports a prosperous rural economy and a positive approach should be taken. It would support the expansion of a business and promote a rural business.

Para 55 supports new housing essential to the rural economy and where it is essential for a worker to live near their place of work in order for the existing sustained operational needs of the business.

It is proposed to utilise sustainable methods of construction.

PLANNING HISTORY

06/00732/CU: Application Permitted: 13/12/06 - Change of use to commercial fishing lake and siting of log cabins - Thornham Fishing Lake

RESPONSE TO CONSULTATION

Parish Council: SUPPORT Thornham Rd was recently tarred and chipped but is still in a very poor condition. An increase in traffic will lead to more wear. The Parish have no objection but the infrastructure/road access needs to be improved.

Highways Authority: OBJECTION

I note that there are no day tickets issued at present and so the consideration of this application would be for new traffic.

The agents correspondence infers that visitors would generally stay on site in order to fish. However, having looked at the applicants web site I note that the site is advertised as a Holiday Park and the site is 'Offering self-catering breaks our luxury lodges are perfect for the fishing enthusiast, families or couples just wanting time to unwind'. Additionally I also observe that the site is advertised as being 'Located within 14 miles of Thetford taking a self-catering lodge leaves you free to explore Norfolk, Suffolk and Cambridgeshire or just sit back in one of our holiday homes providing a comfortable and idyllic time by the water for everyone'. The Website also has links to places of interest.

My concern therefore is that the patrons would not solely utilise the site in relation to fishing but more as a general holiday base. A holiday use of this type would on average generate 3-4 vehicle movements per day per unit, in addition to that generated by the mangers dwelling, which on average would generate 6 movements. This would result in an increase of between 24 - 30 movements on Thornham Road per day.

Thornham Road has a narrow single carriageway width of an average of 2.9 meters. It is also without the benefit of formal passing places and has very narrow verges which fall away directly into deep ditches in most parts, particularly when using the southern route which is the shortest and most likely used to access the wider highway network.

It is therefore considered that Thornham Road is not appropriate for the additional traffic that this site would engender. As a result I recommend that the application is refused as the road is considered to be inadequate to serve the proposed development by virtue of its restricted width and lack of passing provision and therefore could give rise to conditions detrimental to highway safety.

Public Rights of Way (NCC): NO OBJECTION

Environment Agency: NO OBJECTION The site is located within Flood Zone 1 (low risk) and therefore the application falls within the EA's Flood Zone Standing Advice.

Internal Drainage Board: NO OBJECTION Details set out regarding compliance with Board Byelaws, disposal of effluent, flood risk etc.

Environmental Health & Housing - Environmental Quality: NO OBJECTION No comments relating to contaminated land or air quality.

Environmental Health and Housing – CSNN: NO OBJECTION but request a condition in the absence of sufficient detail regarding the disposal of foul drainage from the holiday lodges and proposed dwelling. The applicant has stated a package treatment plant but it is unclear if this is proposed for all or part of the development and if an existing system is to be used, if it holds sufficient capacity to deal with the extra waste. In addition an appropriate system for holiday lets should be investigated thoroughly as it can be found that package treatment plants do not operate effectively if not in continuous use. Some basic data should be provided as a minimum, detailing the proposal for effectively disposing of foul waste from the development.

Norfolk Wildlife Trust: NO OBJECTION the northern part of the red line area lies within County Wildlife Site 307. However, this part of the CWS is already managed as a fishery and the development of lodges lies outside of this area.

National Grid: NO OBJECTION

There is a 'Major Accident Hazard' High Pressure Gas Pipeline that runs through this land parcel, National Grid do not object in principle to the proposal, we do however request the following points specific to the proposal are noted accordingly.

National Grid note from the proposed site layout drawings on the planning portal that a building proximity of 17m from the pipeline has been specified. This proximity is acceptable to National Grid and current gas policy requirements.

National Grid request that 'conditions' be made if planning permission is granted relating to trial holes to confirm pipeline location and depth; any proposed bunds above the pipeline do not exceed a depth of 2.5m, landscaping within the National Grid easement will need National Grid approval and all works must be in accordance with National Grid specification.

Health and Safety Executive: NO OBJECTION on safety grounds based upon the information supplied.

REPRESENTATIONS

ONE letter of **OBJECTION:**

- Noise
- Residential Amenity
- A number of restrictions have been ignored and a number of lodges have been used as permanent residences.
- How will any breaches of planning regulations be managed.
- Disturbance to wildlife considerable on a designated country wildlife site.
- A resident cat hunting nesting birds and small mammals is a disaster for nightingales.
- The road is poorly maintained and will not benefit from an increase in traffic.

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

CS06 - Development in Rural Areas

CS08 - Sustainable Development

CS10 - The Economy

CS11 - Transport

SITE ALLOCATIONS AND DEVELOPMENT MANAGEMENT POLICIES PLAN 2016

DM6 - Housing Needs of Rural Workers

DM11 – Touring and Permanent Holiday Sites

DM15 – Environment, Design and Amenity

DM17 - Parking Provision in New Development

PLANNING CONSIDERATIONS

The main issues to consider when determining this application are as follows:

The principle of development
Design and Scale of dwelling
Impact upon the Countryside
Highways Issues
Other material considerations
Crime and Disorder

The principle of development

There are two elements to the proposed development. Both the proposed expansion of the existing holiday accommodation by providing an additional six holiday units and also the proposal to provide permanent residential accommodation for the manager/owner of the existing fishing/holiday business.

Paragraph 28 of the NPPF states that planning policy should support the expansion of all types of business and enterprise in rural areas, and support sustainable rural tourism which respects the character of the countryside. Policy CS10 of the King's Lynn and West Norfolk Core Strategy 2011 also reiterates that the council will promote opportunities to improve and enhance the visitor economy by supporting tourism opportunities, including in rural areas provided they are in sustainable locations and not detrimental to the natural environment.

Policy DM11 (Touring and Permanent Holiday Sites) of the Site Allocations and Development Management Policies Plan 2011 states that proposals for the extension or intensification to existing holiday accommodation will be acceptable where: 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 a high standard of design in terms of layout, screening and landscaping ensuring minimal adverse impact on visual amenity...and the natural environmental qualities of the surrounding landscape; the site can be safely accessed; is in accordance with national policy on flood risk (or within the Coastal Hazard Zone etc); and also does not negatively impact upon the AONB or SSSIs if appropriate.

The applicant has demonstrated that the business is financially viable as it is currently and that the expansion of the holiday accommodation would help boost the existing fishing lake business. Additionally the proposal would not have a detrimental impact upon the surrounding landscape nor materially affect the adjacent Country Wildlife Site. With regard to the site being safely accessed this will be considered later in the report under 'Highways Issues'.

The proposal to provide a managers dwelling has also been considered. At the current time the on-site manager lives in one of the previously approved holiday lodges (albeit that this has not been formalised by a planning application). Paragraph 55 of the NPPF states that Local Planning Authorities should avoid new isolated homes in the countryside unless there are special circumstances such as the essential need for a rural worker to live permanently at or near their place of work in the countryside and this is reiterated in Policy CS06 of the King's Lynn and West Norfolk Core Strategy 2011.

Policy DM6 (Housing needs of rural workers) of the Site Allocations and Development Management Policies Plan 2016 states that proposals for occupational dwellings must demonstrate the intention to engage in a rural based enterprise is genuine and that the needs of the enterprise require one or more of the people engaged to live nearby. If a new dwelling is essential to support a new rural based enterprise it should normally, for the first three years be provided by a temporary accommodation. Whilst there has not been a formal application for a temporary dwelling on the site the manager has been living in a holiday lodge and the enterprise is not new but has been established for over seven years. Consequently a permanent dwelling has been applied for.

Policy DM6 states that new permanent dwellings should only be allowed to support existing rural based activities on well-established rural based enterprises provided there is a clearly established functional need requiring occupants to be on site day and night, the need cannot be met by other dwellings in the locality, the application meets the requirements of a financial test demonstrating that the rural based enterprise has been established for at least three years, is financially sound and can sustain the size of the proposed dwelling. It has been demonstrated that the enterprise is currently profitable and able to sustain the proposed dwelling and by expanding the holiday accommodation on site will be more profitable.

Consequently the principle of development is acceptable subject to members considering the highways issues below.

Design and Scale of dwelling

The proposed dwelling is of a double fronted cottage style and is relatively modest in scale being 9.5m in width and 11.0m in depth at the ground floor (smaller at first floor level). The design and scale is considered acceptable.

The holiday lodges meet the definition of a caravan as defined within the relevant legislation.

Impact upon the Countryside

The site is well screened and it is not considered that the proposal would have a detrimental visual impact on the surrounding countryside.

Highways Issues

There is an objection to the proposal from the Highways Officer on the basis that Thornham Road which serves the application site is narrow with few formal passing areas. The Highways Officer considers that the increase in the number of holiday units, as well as the permanent residence, would result in conditions which are detrimental to highway safety.

The road from Methwold (east of the site) is relatively long and winding and there are 3 formal passing places plus a number of informal passing places.

The road leading south from the site (which the Highways Officer feels would be the most likely route as it would feed into the wider highway network) is narrow but relatively straight and with a couple of informal areas where passing would be possible.

Within the original approval for six holiday lodges (06/00732/F) the highways officer expressed concern regarding the width of the road, although given the small scale of the operation no objections were raised.

The Parish Council have not objected to the proposal however they have expressed concerns regarding the condition of Thornham Road surface and there has also been an objection from a representative who lives down Thornham Road relating to the poor condition of the road surface. Thornham Road is an adopted road and therefore it is the responsibility of Norfolk County Council if the surfacing of the road is inadequate.

The proposed addition of 6 holiday units would generate additional traffic (the manager is already living on the site, albeit in an existing holiday lodge). On balance it is considered that given the fact that Thornham Road is not in high demand, there have been no traffic incidents within the last seven years of operation, there are some informal passing points along the most likely route to the site and the application is for the expansion of a rural enterprise which is to be encouraged; officers believe that on this occasion an approval can be recommended. Members are also asked to consider if the proposal is acceptable in highway terms.

Other material considerations

The site is within Flood Zone 1 and therefore does not require a Flood Risk Assessment.

There is an objection from a third party regarding the impact on the wildlife particularly the County Wildlife Site however there are no objections to the proposal from Norfolk Wildlife Trust as part of the site is already a managed fishery and the proposed development is outside the County Wildlife Site.

There is an objection regarding possible breaches of the original consent (06/00732/CU) with people living on site permanently. However there have been no complaints regarding this to the Planning Enforcement Team previously, and the agent has confirmed that this is not the case. Any reported breaches would of course be investigated.

Crime and Disorder

There are no crime and disorder issues related to this application.

CONCLUSION

The application is for the expansion of an existing tourist and rural enterprise, and the applicant has demonstrated that the business is financially sound and would be more so should the proposed development be allowed. The proposed managers dwelling and additional six holiday units would generate more traffic along Thornham Road, however on balance the proposal is considered acceptable and members are asked to consider approving the application. Clearly the use of the site must be tightly controlled by condition to ensure it is maintained as a holiday site, and the lodges and managers dwelling are occupied appropriately. Subject to condition, the proposal is considered acceptable, and in accordance with national and local policy.

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 473-08 'Proposed Dwelling' and 473-09A 'Site Plan as Proposed'.
- 2 Reason For the avoidance of doubt and in the interests of proper planning.
- 3 Condition The holiday lodges hereby approved shall meet the definition of a caravan as defined within the Caravan Sites and Control of Development Act 1960 and the Caravan Sites Act 1968 (as amended).
- 3 Reason For the avoidance of doubt and in the interests of proper planning.
- 4 Condition No development shall commence until full details of the foul water drainage arrangements for the site have been submitted to and approved in writing by the Local Planning Authority. The drainage details shall be constructed as approved before any part of the development hereby permitted is brought into use.
- 4 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.
- 5 Condition The occupation of the dwelling hereby permitted and shown on drawing number 473-08 shall be limited to a person solely or mainly working, or last working in the Thornham Lake holiday lodge business, or a widow or widower of such a person, and to any resident dependants.
- 5 Reason The site lies in an area where the Local Planning Authority would not normally grant permission for new dwellings. This permission is granted in recognition of the special need for the dwelling in connection with a rural enterprise in accordance with the NPPF.
- 6 Condition The holiday lodge accommodation hereby approved as shown on drawing reference 473-09A shall:
 - be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
 - 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 this available at all reasonable times to the Local Planning Authority.
- 6 Reason For the avoidance of doubt and to ensure that the buildings are not used for unrelated purposes that would be incompatible with the provisions of the NPPF.

- 7 Condition Prior to the commencement of development trial holes must be carried out on the pipeline, as shown on drawing number 473-09A, under the direct supervision of National Grid, to confirm the pipeline location and depth. The results of the trial holes shall be recorded and submitted in writing to the Local Planning Authority.
- 7 Reason In order to confirm the correct distances between the existing gas pipeline and mobile units of accommodation.