

**AGENDA ITEM NO: 8/1(a)**

<b>Parish:</b>	<b>Congham</b>	
<b>Proposal:</b>	<b>Extensions &amp; alterations to hotel/spa and erection of new buildings and structures for use as additional hotel rooms (use class C1), erection of new buildings and structures for short term holiday accommodation, new spa treatment rooms, gym &amp; administration uses, access alterations and associated infrastructure and works</b>	
<b>Location:</b>	<b>Congham Hall Hotel Lynn Road Grimston King's Lynn</b>	
<b>Applicant:</b>	<b>Congham Hotels Ltd</b>	
<b>Case No:</b>	<b>17/00309/FM (Full Application)</b>	
<b>Case Officer:</b>	<b>Mr C Fry</b>	<b>Date for Determination: 23 May 2017</b>

**Reason for Referral to Planning Committee** – Called in by Councillor Tilbrook

**Case Summary**

The site is contained within an area designated as countryside according to local plan proposals maps for Grimston and Pott Row.

Grimston, Pott Row coupled with Gayton is a Key Rural Service Centre in accordance with policy CS02 of the Local Development Framework Core Strategy.

The proposal seeks consent for expansion to Congham Hall which involves erection of new buildings for spa/treatments and holiday accommodation alongside associated infrastructure.

**Key Issues**

Principle of development;  
Impact upon the landscape and parkland setting

Impact upon Protected Species and European Designated Sites  
Arboricultural Implications  
Highway Implications;  
Impact upon Neighbour Amenity.  
Other Material Issues

**Recommendation**

**APPROVE**

## THE APPLICATION

The application site lies within an area designated as Countryside according to local plan proposals maps for Grimston.

Grimston combined with Pott Row and Gayton is a Key Rural Service Centre according to Policy Cs02 of the Local Development Framework Core Strategy 2011.

The application site lies on the northern side of Lynn Road set behind a line of established trees. Views of the site are also achieved from Broadgate Lane due to the mesh and post fencing that lines the lane. A public footpath crosses the existing carpark at the rear of the site in the north east corner and there is a right of way from Lynn Road across the western side of the site and into the wooded copse area that is in the North West corner.

Vehicular access is served from the south east corner of the application site, over a drainage ditch. Another informal access to the site is achieved from Lynn Road approximately half way along the southern boundary.

Surrounding land uses include, a Public House, residential properties and Grimston Cricket Pitch. Agricultural fields lie to the north. Grimston's post office and other shops are approximately 1km to the east of the site.

The site contains a hotel, gym and spa facility and carparking areas. The largest building on the site is the hotel building, known as Congham Hall. Congham Hall was built in approximately 1780 and was a residential property until it was sold in 1982 and changed use to a hotel. It is worth noting that Congham Hall and associated parklands are not listed and have no statutory historic designations. The building is Georgian with a central 3 storey section and two storey flanking wings. The gym/spa facilities are in outbuildings to the north of the Hall which are converted barn buildings. Parking is provided alongside the access road and a small car park to the rear that can facilitate 26 cars.

Beyond the built form are gardens to the hotel that are fairly low lying, mature trees, pond and a wooded copse area. Some of the trees have been served with a Tree Preservation Order.

The proposal is to expand the facilities at Congham Hall Hotel. These are in distinctive phases each having individual characters.

In summary the proposals are:-

The development consists of the following and is broken down into distinctive phases:-

Phase 1 – Improvements to existing facilities, Spa, Garden and storage rooms.

- Improvements to the pool building and garden court. This is achieved by providing additional floor space for a new fitness area at first floor above the swimming pool. Single storey additions to this building are proposed either side of the enlarged pool terrace. The southern extension will house a new café; the northern extension forms a covered outdoor area. A glazed loggia will link these buildings to the existing hotel.
- The current laundry room and garden storage building will be extended and a first floor added to provide additional staff area.
- A new garden room provides an entrance to the pool and gym building from the carpark to the north. The garden room is constructed from black stained timber boarding is will

be linked to the gym building. The building will have a steep pitched roof with glazed lantern. Its eaves height is the same as the existing on the gym and pool building. The roof form is pyramidal and will have timber shingle roof.

- The new spa room is located to the north of the garden room and across the revised herb garden. The Spa room will be constructed from red brick with timber shingle roof. The building will also have a lantern that runs the whole length of its ridge. Other features of note include walk under passageway. The building scales 24.7m (l) x 12.8m (w) x 8.3m (h).
- A garden yard store will contain all the garden maintenance machines and the linen and housekeeping room. This building will scale 33.6m (l) x 6m (d) x 5.3m (h). This building will be timber clad with pantile roof and has photovoltaic cells. This building is suited to the west of the main carpark and in close proximity to the north boundary.
- The carparking area is extended and re-landscaped and involves re-directing the public right of way (discussed later). Parking spaces will be provided either side of the access roadway to the carpark.
- The carpark extended and re-landscaped. A formal diversion of the footpath will be sought.

#### Phase 2 – 8 Orchard Cabins

- Orchard Cabins to the west of the existing herb garden will contain 8 single storey structures. The Orchard Cabins are constructed from metal cladding. These cabins have glazed gable fenestration. There are two types of cabins – Cabin Type 1 – 11m (d) x 5.3m (w) x 5.2m (h) and Cabin type 2 – 11.6m (d) x 4.7m (d) x 4.9m (h). Their siting is on the periphery of the Orchard with 5 on the eastern boundary of the Orchard and 3 along the northern boundary. Within the Orchard area is the buggy way path that leads onto the next phases of development.

#### Phase 3 – Parkland Cabins

To the west of the Orchard and in close proximity to the northern boundary 6 single storey parkland cabins will be provided. These will be accessed via a new pathway that runs along the northern boundary.

Cabin Type 1 – is a pair of semi-detached 2bed single storey holiday cottages. These scale 22.6m (l) x 10.5m (d) x 6m (h). The cabin has its ridge line running on an east west axis.

Cabin Type 2 – is a pair of single storey semi-detached holiday cottages. These scale 25m (l) x 14.6m (d) x 5.1m (h). These holiday cottages are 2 and 3 bedrooms. Features in their designs include single storey pitched roof projections and decked areas and log burners.

Cabin Type 3 – is a detached single storey 3 bed holiday cottage. This cabin type scale 16.5 (l) x 10.5m (d) x 6.1m (h). This property has a pitched roof and a stepped back and subservient single storey side element.

Cabin Type 4 – is a detached two bedroom single storey holiday cottage, this cabin scales 11.8m (l) x 10.5m (d) x 6m (h). Features in its design include a decked area.

## Phase 4 – Woodland Cabins

In the wooded copse area in the North West corner of the site 5 wooded cabins will be provided and accessed on foot through timber board walks. All of the cabins are to the east of the public right of way that goes through the woodland.

The cabins will be accessed on foot only on timber boardwalks as the new “buggy” path will terminate at the edge of the wooded copse area.

3 of these cabins will be 2 bedroom and the other 2 – 3bedrooms.

The 2 bedroom cabin scales 12.3m (w) x 8m (d) x 7.1m (h)max and includes a small raised decked area

The 3 bedroom cabins are 14.6m (w) x 8.2m (d) 7.1m (h) and these cabins also have a small raised decked area.

Other development on the Congham Hall complex includes revisions to the site entrance and access road alterations. The site entrance will be widened to allow 2 cars to pass more easily at the site entrance than they do currently. The current informal parking arrangements on the eastern side of the access road will be formalised. Parkland will have a tree planting programme which will be planted around the perimeter, and a number of informal paths will be mown. A new farm track will be formed on the western side of the main parkland area to provide emergency vehicles access to the parkland and woodland cabins. A post and rail fence will be erected and a swale provided. There will also be some landscape clearing in the woodland.

## SUPPORTING CASE

The application has been supported by a suite of documents these include:-

- Design and Access Statement
- Arboricultural Impact Assessment
- Bat and Great Crested Newt Survey
- Flood Risk Assessment
- Landscape Appraisal
- Planning and Heritage Statement
- Preliminary Ecological appraisal
- Transport Statement
- Lighting scheme

The planning agent has summarised the benefits of the proposal accordingly

- Expansion of leisure facilities in the local area
- Will contribute to the local and regional visitor economy and will help to increase visitor spending levels locally and regionally
- Local suppliers are used by the Hall in almost all cases, from the local food chain supplying the restaurant to maintenance and building services. Therefore increased invested in the wider local economy.
- Having regard to the past growth in employment at the Hall it is anticipated that, once operational, the expanded facility would provide for at least an additional 30 new jobs
- Will lead to an increase in the rateable value of premises. Prior the recent extensions was £84,000 and this will be £189,000 under the new valuation that came into force in April 2017. The rates revenue will all be retained by the Local Authority by 2020 under current proposals.

- Enhancement to access infrastructure to accord with contemporary highway requirements allowing space for larger vehicles to access the site without having to swing across the carriageway and allowing two vehicles to pass on the access drive.
- Proactive management of the woodland areas of the site.

## PLANNING HISTORY

17/00031/TPO: TPO Work Approved: 03/04/17 - 2/TPO/00092: G1 & G2 Leylandii - Fell - Coming to end of natural lives, boughs breaking off regularly and close proximity to clubhouse. Replant with Field Maple, Hawthorn and Cherry in two small copses.

09/01321/F: Application Permitted: 07/10/09 - Proposed alterations and extensions for the provision of ten additional bedrooms, spa with treatment facilities, extension to existing restaurant, new bistro within existing hotel and alterations/refurbishment of kitchen facilities

05/00340/F: Application Permitted: 07/10/05 - Extension to hotel

04/02089/F: Application Permitted: 29/11/04 - Alterations and extensions to hotel, alterations and conversion of barns and garden store to function room, bar and servery and use of paddock for overflow car park

2/98/0252/O: Application Refused: 14/07/98 - Site for construction of 12 dwellings 6 semi detached cottages and meeting hall including access layout siting and landscaping (revised proposal)

## RESPONSE TO CONSULTATION

**Grimston Parish Council:** comments that the hotel does run through Grimston and is Grimston residents that will be affected by the increase in the size of the hotel complex due to the increased activity at the Hotel entrance. It is important that the changes to the Hotel entrance off Lynn Road include sufficient width to ensure that cars can comfortably arrive and leave rather than queuing on Lynn Road. The proposed changes must also allow for clear and well-lit entrance.

**Congham Parish Council: SUPPORT** with reservations – particular attention is being given to the drainage within the Park and this is to be welcomed. Waste management is an important issue and we support the highway recommendation to widen the entrance to Congham Hall and the increased car parking to the rear.

The parish council does not agree to the development in the woodland area, given the flora and fauna. The public footpath which crosses the carpark would be better located to the east to avoid Congham hall vehicles. The private path on the park should not be lit.

There should be conditions imposed in relation to construction time, parking on site and working hours. It is recognised that additional traffic generated by this application will put additional pressure on Lynn Road. Trees and their roots must not be disturbed, particularly during the construction phase. Landscaping should be providing around the parkland cabins to avoid additional lighting. No more encroachment into the Parkland, Emergency access should not include construction vehicles. Lighting has not been addressed. Important that construction work is sensitive to the ecology, including the great crested newts in Pond 1.

**Environmental Health and Housing – Environmental Quality: NO OBJECTION**

**NCC Highways: NO OBJECTION** subject to conditions

**Natural England: NO OBEJCTION** in terms of the impact upon the statutory nature conservation sites. The proposal is not likely to have a significant effect on the interest features for which Roydon common Ramsar and Roydon common & Dersingham Bog SAC have been classified. No need to conduct an Appropriate Assessment to assess the implications. Roydon Common SSSI is not a constraint in determining this application.

This advice does not extend to the impact upon protected species and whether an EPS license is required.

**NCC Public Rights of Way Officer: NO OBJECTION** on the proposal on public rights of way issues. A formal application will be required to divert the footpath across the carpark. A planning application would need to be made to the Planning Authority for diversion. This can be done either prior to or once consent is given.

**Arboricultural Officer: NO OBJECTION** in order to protect some of the trees in the woodland a TPO was served.

**Environmental Health and Housing – Community Safety Neighbourhood and Nuisance: NO OBJECTION** subject to conditions

**Anglian Water** The foul drainage is in the catchment of Grimston Water Recycling Centre that will have available capacity for these flows. Surface water is not indicated as being into the surface water assets of Anglian water.

**Campaign for Rural England: OBJECTION** self-catering units is part of the historical parkland of Congham Hall, lies outside settlement boundary. The parkland is not on the register of historic parks and gardens, it is largely unspoilt. The landscape of the parkland dated back to 1814. It is considered that paragraph 134 of the NPPF is relevant, and the harm is not outweighed by the public benefits this site brings. Removal of some trees and potential for damage to others is of concern and there is an issue of ground water flooding. Access road way and walkway would damage the setting of the parkland; lighting for the access road would cause unnecessary light pollution.

We do not object to the plan to extend and alter the current hotel buildings, to enhance spa and gym/fitness area, to create a new café for the pool, gym and spa and to improve the back of house area and improve parking.

**Open Spaces society: OBJECTION** We consider Congham Hall Park to be of historic importance, and accordingly, to make an important contribution to the character and beauty of the countryside of this distinctive part of the county. We object to the proposal because we consider that it would be damaging to the historic character and unspoiled beauty of the parkland. Such concerns include the impact of the proposed access road on the character and setting of parkland, proposed lighting of the roadway and self-catering units which would intrude into the dark skies of this rural area, potential loss of trees on account of the proposed siting of the self-catering units which wold, of themselves, be intrusive features within a currently unspoiled landscape.

We are further concerned by the adverse impact of the proposed development on the public's enjoyment of the park from the two public paths. The paths themselves are of historic interest, and we note with concern that the historic alignment of at least one of the

paths would need to be altered, to the detriment of the public, or otherwise obstructed by parked vehicles, on account of the proposed carpark.

**Water Management Alliance: NO OBJECTION** the Board still considers that further investigations, calculations and design work regarding proposals for surface water disposal will need to be done (and be approved) prior to any construction works. In particular additional infiltration tests will be needed along with more modelling work to prove whether or not the proposed development would result in an increase in the rate and/or volume of water in any drainage/flood risk management infrastructure, as if that is the case then consent may be required from the Board under the terms of its Byelaw 3 (even if the discharge rate is limited to QBAR).

Noted from the agent's responses to the Board and the LLFA that they've suggested implementation of the drainage systems for individual parts of the development can be delivered to suit an overall programme – it will certainly be important to show how drainage systems would be “upfront works”, so that all systems required for any particular part of the development will have been constructed and be operational ahead of the main building works in that phase. Other design issues, such as how it would be ensured that the risk of blockage to any orifice flow control is minimised (a discharge rate of 0.7l/s would likely require a very small diameter hole), would also need to be finalised and agreed, and I would certainly consider a fence at the top of a swale to be a far better idea than one along its bed level (a fence is more likely to result in a blockage occurring than a vegetated swale).

On this occasion, taking into account the additional information provided, the Board would be prepared to withdraw its previous objection, provided that any planning permission granted is subject to one or more pre-commencement conditions related to surface water drainage. It is suggested that all such conditions should be on the basis of “notwithstanding the information submitted to date”.

**Lead Local Flood Authority: NO OBJECTION** subject to condition

**Environment Agency: NO OBJECTION**

## REPRESENTATIONS

### 20 Letters of objection

- Increase in the amount of traffic as a result of the extended facilities and the construction vehicles
- Set a precedent for other landowners
- More cars would park in the lay-by.
- Highway safety issues
- Foul water drainage issues
- Light pollution into bedroom windows
- Barn Owls fly across the site
- Out of scale in terms of its rural setting
- Noise pollution
- Commercial venture does not outweigh the negatives
- Removal of some of the woodland would have a negative impact upon wildlife
- Approval of the emergency vehicular access could lead to future and extensive plans.
- The new footpath on to Broadgate Lane is not a safe option
- Thin end of the wedge
- Localised flooding issues

- More impact upon doctors surgeries
- Employment numbers will decrease according to the application form.
- Detrimently affect the character of Congham Hall
- No more than 4 holiday cabins should be allowed
- Development should not be permitted
- Designated parkland NHER Number 31969 and as such would cause unacceptable harm to the character and setting of Congham Hall.
- Unacceptable threat to the trees that have now been TPO'd.
- Users of the footpath will have their amenity affected
- Violation of the planning policies.
- The cabins are houses and not holiday units

### **MP Henry Bellingham**

- Supportive of the plans for the new gym, café and spa facilities and orchard bedrooms.
- There are 3 historic parks in the parish of Congham, this being one and is by far the most important and very much at the heart of these parishes. I am against the principle of development in the park.
- The lighting of the pathway will spoil the park
- The emergency access will be used for holiday makers in the holiday cottages
- Localised flooding issues on the parkland and pressure on existing sewerage system.
- Impact upon Root Protection Areas of the trees
- New business initiative by Congham Hall and is a new resort concept – creation of a mini centre parcs
- The holiday cottages could end up being dwellings.

### **13 letters of support on the following grounds**

- Bring visitors into the area and increasing the money borough into a small area of Grimston
- Provides a gym in a rural locality giving people access to health and fitness
- Local company wish to invest substantially and sympathetically
- Increase careers and more staff in the local area, opportunities for local trades to gain extra work sustains the future of a local business
- New facilities will improve Congham hall hotel
- The proposal has conservation plans in place to allow the wildlife and bio-diversity to thrive
- Boost tourism overall in the area

### **NATIONAL GUIDANCE**

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

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### **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

**DM15** – Environment, Design and Amenity

**DM17** - Parking Provision in New Development

**DM22** - Protection of Local Open Space

## **PLANNING CONSIDERATIONS**

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

- Principle of development;
- Impact upon the landscape and parkland setting
- Impact upon Protected Species and European Designated Sites
- Arboricultural Implications
- Highway Implications;
- Impact upon Neighbour Amenity.
- Other Material Issues

### **Principle of development**

The site is within the countryside where development is generally more restricted. However, this is an existing hotel and spa use and the use is already established as a tourism and leisure use.

In terms of National Policy paragraph 28 of the NPPF refers:-

‘Planning policies should support economic growth in rural areas in order to create jobs and prosperity by taking a positive approach to sustainable new development. To promote a strong rural economy, local and neighbourhood plans should:

- support sustainable rural tourism and leisure developments that benefit businesses in rural areas, communities and visitors, and which respect the character of the countryside. This should include supporting the provision and expansion of tourist and visitor facilities in appropriate locations where identified needs are not met by existing facilities in rural service centres; and

At a local level Core Strategy Policy CS10 is particularly relevant to this proposal. It refers:

'Retail, tourism, leisure, and cultural industries are key elements of the economic and social vibrancy of our borough, and contribute to the regeneration and growth of the area ...

The Council will promote opportunities to improve and enhance the visitor economy:

- Supporting tourism opportunities throughout the borough.
- Promoting the expansion of the tourism (including leisure and culture) offer in Hunstanton to create a year-round economy.
- Smaller scale tourism opportunities will also be supported in rural areas to sustain the local economy, providing these are in sustainable locations and are not detrimental to our valuable natural environment.

The Council will permit the development of new tourism accommodation in rural areas subject to the following criteria 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 will be in place to permanently retain the tourism related use.

New development to promote and enhance tourism should consider the historic character and setting of our towns, and proposals should aim to preserve and enhance this unique environment. In the Countryside, preservation of the natural and historic environment should be a priority (also refer to Environmental Assets)...

Policy DM11 relates to development of touring and permanent holiday sites. It refers:

'Location requirements'

Proposals for new holiday accommodation sites or units or 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 historical and natural environmental qualities of the surrounding landscape and surroundings; and
- The site can be safely accessed;
- It is in accordance with national policies on flood risk;
- The site is not within the Coastal Hazard Zone indicated on the Policies Map, or within areas identified as tidal defence breach Hazard Zone in the Borough's Strategic Flood Risk Assessment and the Environment Agency's mapping;

Small scale proposals for holiday accommodation will be acceptable within the Norfolk Coast Area of Outstanding Natural Beauty (AONB) only where it can be demonstrated that the proposal will not negatively impact on the landscape setting of the AONB. Proposals for uses adversely affecting Sites of Special Scientific Interest (SSSIs) or European Sites will be refused permission.

Conditions to be applied to new holiday accommodation

Where development is permitted in the open countryside for new holiday accommodation, it is essential that such uses are genuine and will be operated and maintained as tourist facilities in the future. To achieve this aim, occupancy conditions shall be placed on future planning permissions requiring that:

- The accommodation is occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets;
- 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 this available at all reasonable times to the Local Planning Authority.'

The new holiday accommodation will be reserved through the hotel's online booking system and will be let for 3 days, over a weekend or 4 midweek days or combining the two for a full week. Guests staying in the cabins will be required to report in at the main entrance to book in and out and if they wish be transported to the cabins in lightweight electric vehicles. The self-catering accommodation will be served at change over periods.

Local suppliers are used by the Hall in almost all cases, from the local food chain supplying the restaurant to maintenance and building services. The business has a principle of buying locally wherever possible. In this way the revenues from its business are recycled and reinvested in the local economy as far as possible.

According to the business plan section of the planning statement – spend per trip of people using self-catering accommodation is at around £386 per person. Spend per trip from people using serviced accommodation £264 and holiday parks and camping and caravanning £245. The success of the Congham Hall business has led to the acquisition of the Three Horseshoes Pub which has undergone refurbishment.

The total number of additional jobs created by the proposal is 44, 21 of which will be full-time and 23 part time.

It is considered that the business has been successful and has led to investment in other tourist facilities (re-opening of a public house) and considerable job opportunities in this locality. The site is well connected by public footpaths and there is a bus service available further afield. The proposal will help to facilitate job opportunities.

The design, access and flood risk issues are discussed later in the report, but in summary, the principle of development is therefore considered acceptable subject to the detail of the proposal producing a high standard of design and any harm being outweighed by the benefits of the scheme.

### **Impact upon the landscape and parkland setting**

Third Party representations, Congham Parish Council and the Local MP are concerned that the proposal will detrimentally affect the character of the parkland and the setting of Congham Hall. Furthermore through the use of the cabins, noise and lights will disturb the tranquillity of its setting.

The site lies within the "Wooded slopes with estate land" class F landscape type according to the Borough Council's Landscape Character Assessment (2007) and specifically

“Hillington and Congham” (F4) landscape character. The inherent landscape sensitivities of this designation are:-

- Open, panoramic views across fields within the area
- Distinctive combinations of traditional building materials within settlements
- Coherent and recognisable small-scale settlement density and pattern.
- Moderate to strong sense of tranquillity throughout the area
- Strong recognisable sense of place
- Predominantly isolated and rural character.

The landscape guidelines of this designation

- Seek to conserve the generally undeveloped, rural character of the area and related strong sense of remoteness and tranquillity
- Seek to conserve the landscape setting of existing villages
- Seek to conserve the open views across the area and adjacent areas
- Seek to ensure that potential new small-scale development within villages is consistent with existing settlement pattern, density and traditional built form.
- Seek to ensure the sensitive location of development involving tall structures in relation to the prominent skyline locations
- Seek to promote the use of local materials, including flint, chalk, pebbles and pantiles.

Congham Hall Hotel complex itself is heavily screened from Lynn Road by virtue of hedging and trees. Glimpses of the hotel are only seen from the main access and from across the Cricket pitch to the east of the site. Views from the north of the site are screened by wooded copses and trees. The main views of the complex are from Broadgate Lane (west).

A landscape assessment has accompanied the application and has outlined a number of opportunities and constraints in regards to the site:-

- Concentrate development in those areas which are least visible and have least impact on distinctive local landscape character
- Retain and protect attractive open landscapes
- Strengthen planting along the northern boundary
- Improve the structure of the landscape along the northern margins of the open parkland
- Create opportunities for new development
- Provide adequate, new parking space
- Improved circulation, for vehicles and pedestrians
- Create a strong landscape core.

It is considered that Phase 1 of development has given due regard to its siting immediately adjacent to Congham Hall itself. Single storey extensions and minor alterations to the existing gym/pool building, insertion of dormer window the gym/pool building, slight rising of the roofs to the staff building within this phase, are of a scale and appearance that do not compete nor detract from the character of Congham Hall. The garden room has contrasting material that provides a visual relief to the massing of red brick and red pantile used in this building and by using contrasting materials, the garden room also acts to delineate itself as a focal point and thus an entrance to the gym and pool building. The new spa building and garden store are of a size, siting and scale that is also deemed to be acceptable.

Phase 2 - The orchard cabins are of similar appearance to modern portal framed agricultural buildings. The cabins are of a scale and siting that is not an overdevelopment of this pocket of land. From public view points within from the public right of way that runs north to south, very little of these cabins will be seen in conjunction with the existing hall and barns, by

virtue of the altered herb garden arrangement. The visual impact of these cabins is also softened by the existing trees within the Orchard and the cabins siting along the perimeter of this parcel of land.

Phase 3 – The parkland cabins are going to be the most open to public view from the Public right of way that runs north to south across the site. Views of the parkland cabins will be seen in a wide panoramic setting seen in passing on Broadgate Lane. Their single storey scale, the siting of the existing pond and mature trees around these cabins will limit their visual massing. The cabins are of a height well below the trees that form the northern boundary. It is considered that the proportions of these cabins help retain the wider open panoramic setting. Albeit a new swale to the south of these cabins will be provided and the erection of post and wire fencing will encapsulate this development, it will still appear to be part of the wider setting of the park land.

Phase 4 – The woodland cabins are within a setting that feels enclosed and tranquil. The area is experienced by the public by those who use the public footpath across the site. The siting of the cedar clad woodland cabins and board walk are to the east of the footpath. Their presence within this woodland has been limited by the use of cedar single cladding. The proposal has considered its wooded setting. The structures would be barely visible from the north given their siting within this wooded area.

Other provisions such as the buggy path that will lead from the hotel complex up to the wooded cabins and the re-arranged carpark do not cause visual amenity issues.

The 4 phases are a significant scale of development, however given the landscape features on the site and the height of the cabins and their siting, the most public view of the site, from Broadgate Lane and the public footpath that runs north to south across the site will not see all the development within one particular view point. The layout and scale of the development has been very carefully considered by the architect. Little of the feeling of openness is encroached upon by structures.

It is therefore considered that the design and the use of planning conditions ensure that the sense of tranquillity and peacefulness is conserved and the landscape setting is preserved.

Congham Hall's parkland is registered on the Norfolk Heritage Explorer, but this does not give it any formal protective status. Notwithstanding the lack of formal designation, the council has a policy to protect open space. Policy DM22 states that the council will have full regard to the value of any area of open space when assessing planning application for development. In assessing the contribution that an area of open space plays, the council will consider the following factors:-

- Public access;
- Visual Amenity;
- Local distinctiveness
- Landscape Character
- Recreational Value;
- Bio-diversity and Geo-diversity
- Cultural Value and historic character
- Whether the site has been allocated for development.

In this respect Congham Hall's parkland is privately owned with only a right of way for the public to cross it. Given that none of these structures encroach on the right of way that runs across the parkland there is no loss of public access. The visual aesthetics and landscape character has been described above. Contrary to the Open Spaces Society comments, it is not considered that the parkland's landscape features are locally distinctive as it's akin to the

typical landscape features found within the wider landscape classification. The parkland has a limited recreational value, given its restrictive public access and is valued more for its peace and tranquillity. Given the landscape features on this site there is a value in so far as to its bio-diversity value, but with these landscape features, trees and open grassland it is not distinctive in its bio-diversity value compared to the wider landscape features within this class F classification. There is also limited geo-diversity value. There is no cultural value to the parkland but there is some historic character given its association with Congham Hall and the tree planting on the site dating back centuries. Essentially given that none of these structures encroach on what is publically accessible open space it is considered that the impact of the development upon the value of the open space is minimal.

### **Impact upon European Designated Species and designated sites**

Third party representations are concerned about the impact of the proposal upon protected species.

There are significant individual trees, tree belts and ponds on and off the site that could be a habitat or foraging routes for an array of protected species. With these on and off site features being evident, a preliminary ecological appraisal was carried out which then informed species specific ecology studies.

The preliminary ecological study concluded the following:-

- Reptiles – clearance of any of their habitat would need to be carried out under a mitigation method statement and this would include the sensitive timing of works and ecological supervision.
- Birds – in order to avoid impacts on nesting birds, removal of any trees, scrub and buildings would need to take place outside of the bird nesting season (works must take place between September and February inclusive) and should this not be practicable, a nesting bird check will be required before vegetation removal. Any active nests are to be protected by a 5m buffer area.
- Stag beetle – the careful dismantling of log piles will need to be carried out under supervision.
- There is some loss of barn owl foraging habitat in the woodland, however barn owl boxes can be provided in the woodland area to compensate for such loss.

In regards to great crested newt and bats the preliminary ecology study concluded that further surveys were required for those particular species, given the number of waterbodies in the vicinity of the site and the potential that the building in the herb garden and other buildings close to the hotel could contain bats.

E-DNA survey's in regards to Great Crested Newts was carried out on 4 waterbodies across the site with the main water body being the pond in the parkland cabin area development. Across these 4 waterbodies only 1 waterbody, which is a small pond in the herb garden was considered to be suitable for crested newts given its distance to suitable foraging habitat. It was concluded that the potential for great crested newts to be within the development footprint is low. Mitigation will require the clearance of any trees and grassland habitats to be between the months of April and May as this corresponds with the period in which the highest proportion of great crested newts will be at waterbodies. The small pond in the herb garden will have a 6m buffer zone from any construction activity. A vegetation buffer of at least 1m will be maintained between construction activities and any other waterbodies,

hedgerow, woodland and boundary vegetation. No machinery will go beyond the fencing and no materials will be stored on the retained habitats.

It has been concluded that a Protected Species (EPS) Licence is not required in relation to the works in respect of great crested newts and a mitigation method statement will be sufficient, the details of which will be secured by way of condition.

In regards to bats there were 70 trees that were identified as having potential roosting bats of which 26 were considered to have moderate potential for roosting. Proposed mitigation and compensation measures include: - the careful taking of one particular tree in the presence of an experienced ecologist, construction work should only be carried out in day time hours during the bat active period of April to October in order to avoid disturbance to bats utilising roost features on-site and in adjacent habitats and buildings and structures that encroach on the root protection areas of trees will need to be installed with bat sensitive lighting.

With the exception of the spa building, the remaining buildings on site, were not considered suitable for bat habitation as the gaps created by the warped cladding were too small and/or covered with cobwebs. The spa building was investigated further and dusk emergence and pre-dawn re-entry surveys were undertaken for this building. The results of these surveys concluded that roosting bats are likely to be absent from this building however further surveys are to take place towards the end of July and mid-August to conclude whether this is to be case. A condition is imposed that requires the applicant to submit the results of such surveys and any mitigation that is required. In this regard, it is a possibility that such survey results might dictate that an EPS License is required in relation to the impact of the development of the spa building and any bat species.

The European Habitats Directive (the Directive) prohibits activities such as the deliberate capturing, killing or disturbance of protected species, subject to derogation in specific and limited circumstances. These requirements are enforced in England and Wales by the Conservation of Habitats and Species Amendment Regulations 2012 (the Regulations) and any derogation is regulated and overseen by a system of licensing administered by Natural England (NE).

In exercising its functions, including determining planning applications, a Local Planning Authority (LPA) is required to have regard to the requirements of the Habitats Directive in so far as they may be affected by the exercise of those functions. It is not the role or responsibility of the LPA to monitor or enforce NE's obligations under the Regulations. However, if a development proposal could potentially result in a breach of the Directive, the LPA is required to form a view on the likelihood of a licence being granted under the Regulations by NE in order to fulfil its own obligation to have regard to the Directive requirements.

NE will only grant a licence if satisfied that the three statutory tests prescribed under the Directive and the Regulations have all been met.

The tests are:

1. There are imperative reasons of overriding public interest (IROPI);
2. There are no satisfactory alternatives; and
3. It would not be detrimental to the maintenance of the population of the species at favourable conservation status.

The obligation on the LPA is to consider the likelihood of a licence being granted by NE, not to determine definitively whether or not the licence will, in fact, be granted. It therefore has to

review the three tests, in the context of a planning application, to then form a view on the likelihood of NE granting a derogation licence under the Regulations.

LPA consideration of the tests:

1. IROPI - NE's guidance advises that IROPI can potentially include developments that are required to meet or provide a contribution to meeting a specific need such as complying with planning policies and guidance at a national, regional and local level. In this case, the proposal results in the creation of job opportunities and supports rural economic development that outweighs the impact upon the landscape character.
2. No satisfactory alternatives – the nature of the proposal i.e. extensions to the facilities at Congham Hall in its own right would mean there are no satisfactory alternatives.
3. Population maintenance - it appears to be unlikely that development of the site, subject to mitigation measures specified will affect the conservation status of the protected species.

The LPA can therefore reasonably form the view, from the information submitted to it for this planning application, that NE would not be unlikely to grant a derogation licence under the Regulations in relation to this development.

Fundamentally with appropriate mitigation and compensation measures, the proposed development is unlikely to significantly adversely impact on the conservation status of the local bat population.

In respect to the European statutory designated sites, Natural England have no objection to the proposal as it will not damage or destroy the interests for which the Roydon Common SSSI and Dersingham Bog (SAC) has been designated for. Furthermore the application triggers the requirement for habitat mitigation payments, which have been duly paid.

### **Arboricultural Implications**

Third Party representations raise concerns about the loss of trees and the threat upon the integrity of a TPO tree. The integrity of the trees has also been raised by the Local MP and Congham Parish Council

The arboriculture report identifies a total of 322 individual trees across the site and 14 tree groups. Trees are graded in the following way:-

Category A – the highest category, such trees should be retained, they offer valuable amenity to local residents and wildlife, and potential wildlife habitats due to their age and maturity

Category B – good condition trees and confer positive landscape values. They should be retained where possible in the context of a development.

Category C – these are small or in poorer condition and do not play such a significant role in the landscape. C category trees are usually of such a quality that the Local Authority may consider it acceptable or them to be removed for development purposes.

Category U – these trees are in poorer condition and unlikely to provide a landscape contribution for more than 10 years. Such trees are not suitable for retention on the context of the development.



Of the the 322 individual trees and 14 tree groups across the site there are 27 category A trees; 195 individual trees and 4 tree groups that are category B trees, 84 individual trees and 10 tree groups that are category C and 16 individual trees that are categorised as having a U category – not suitable for retention.

The following developments across the site require the following trees to be removed:-

- Access widening will require the removal of three yew trees that are category C quality.
- Access path serving cabins 1-7 – two oak trees (category C) and requires the removal of trees within G5 and G7 to facilitate the path these are apple trees and field maple trees (category B).
- 18 Orchard trees which will be replaced by new planting in the orchard.
- 2 ash trees will need to be removed to facilitate the emergency access road both of which are C – category trees
- 6 category C trees and one category B tree will need to be removed to facilitate the woodland cabins. All trees will be replaced on the fringes of the wooded copse. The arboricultural report states that each cabin is to be constructed using specialist foundations with a minimal footprint.

The trees identified for removal are is not A grade –quality trees and given the abundance of B and C category trees across the site, the loss of such trees can be accommodated. There is proposed a replacement planting scheme and landscape scheme provided with the application.

The Arboricultural Officer has no objection to the proposal and has safeguarded important trees under a group tree preservation order. This tree preservation order 2/TPO/00563 covers trees within the wooded copse area and Oak tree groups in the parkland area.

The Arboricultural Officer has requested that the development be carried out in accordance with the arboricultural statement and plans. This can be the subject of a suitable condition(s).

### **Highway Implications**

Grimston Parish Council raise issue that the existing access is not sufficiently wide enough and that there must be the provision of a well-lit visibility splay. Other issues raised by 3rd representations refer to the likely increase in parking in the layby opposite. Furthermore the Parish Council considers that the new footpath across the site to Broadgate Lane is not considered to be a safe option.

The access is to be widened to facilitate the passing of two cars and parking provided along the access road. A revised and increased car parking facility is provided in the north east corner of the site; this will enable 100 car parking spaces across the whole site, compared to the current 50-55 parking spaces.

A public right of way would need to be diverted to achieve the new car park layout. The PROW Officer will require a separate planning application under the Town and Country Planning Act for its diversion. This can be applied for after the determination of this application. No work can take place in regards to the carpark until the public right of way diversion is in place, as this would contravene Highways Acts. A condition which restricts the use of any phase of this development until the carparking arrangements have been provided will be imposed.

An emergency vehicular route will use the existing gated informal entrance on Lynn Road and a new footpath will provided across the parkland to Broadgate Lane. A condition is imposed that the emergency access be used for that purpose only.

The transport statement that accompanied the application indicates that the impact of the development on the surrounding highway network is likely to be minimal and accident data shown there have been no accidents occurred at the hotel entrance.

The highways officer has no objection to the proposed access and footpath arrangements subject to conditions.

### **Drainage and Flood Risk**

Water Management Alliance drains run along the northern and eastern boundaries of the site and there is an Anglian Water foul water drain in Lynn Road.

Both Congham Parish Council and MP Henry Bellingham have raised issues in regards to localised surface water issues across the site.

Following an infiltration test conducted in the carpark area of the hotel complex, a drainage scheme was devised as identified in the Flood Risk Assessment. The ground conditions in the carpark are typical ground conditions across the whole site and it was therefore not deemed necessary to conduct further bore whole testing.

The results from the bore whole testing indicated that the site is capable of accommodating sustainable urban drainage systems such as swales and permeable paving. To elaborate further the main car park, access road serving the cabins, the garden yard and spa area will have permeable paving with run off from the extensions of the spa and gym being directed to the permeable paving areas. Surface water run-off from the Orchard and Parkland cabins will be directed to a system of shallow swales. The swale location runs North West to south east across the top half of the site. Rainfall that exceeds the infiltration capacity of the new swales will be directed towards the existing pond. Overflow from the pond will be directed into the local ditch system (which is in the control of the Water Management Alliance). Surface water runoff from the woodland cabins (adjacent to where there is an area of localised ponding) will be directed to the ground or into the ditch system.

The Lead Local Flood Authority required further information to demonstrate that surface water arising from the development could be adequately dealt with.

The drainage consultants subsequently provided an addendum to the Flood Risk Assessment which substantiates the findings of their original report and clarifies that further testing in the Orchard and parkland cabin areas will inform the detailed designs for the swales. If the testing indicates that the pond cannot accommodate the 1 in 100 year event and flow rate then there is the ability to drain into the ditch to the north of the site (WMA permission would be required). This would be at a limited rate of 0.7 l/sec. In regards to the woodland cabins it is acknowledged that there is a shallow groundwater table and this prevents storage or conveyance of surface water and accordingly the cabins and walkways will be raised by 300mm above ground level. A detailed management and maintenance plan will be undertaken at a later stage.

Upon review of the addendum, the Lead Local Flood Authority have recommended a condition that requires further detailed – calculations that informs the design of the SUDS and details in regards to the management of exceedance flows, avoidance of increased flood risk downstream and the management and maintenance plan in regards to the drainage.

The Water Management Alliance agrees with the Lead Local Flood Authority that further investigations, calculations and design work is required in regards to the surface water disposal prior to construction works. It is important that any drainage works are carried out

prior to any construction works within a particular phase of development. However, the Water Management Alliance and Lead Local Flood Authority do state that such information could be submitted by way of condition.

Foul water drainage has been an issue raised by Third Party Representations. The drainage scheme involves connecting to the Anglian Water Foul drain in Lynn Road if there is spare capacity available to accommodate the flow. If there is insufficient capacity, there will need to be on-site treatment of foul waste.

Anglian Water has confirmed that there is capacity for these flows at Grimston Water Recycling Centre. If the developer wishes to connect to the sewerage network they will need to serve notice under s106 of the Water Industry Act.

The site lies within tidal flood zone 1 the least restrictive flood zone. Flooding would only occur fluvial. Floor levels are conditioned in accordance with section 5 of the Flood Risk Assessment. This will ensure that the pool and gym building will have floor levels no lower than existing, the spa, orchard cabins will have floor levels 150mm above existing where outside of the flooded area, 300mm for those in the high risk flood area. For the woodland cabins, floor levels 300mm above existing ground levels are recommended. A condition is imposed accordingly.

### **Impact upon Neighbour Amenity**

The nearest neighbouring residential properties to the proposed cabins are those on Lynn Road close to the junction of Broadgate Lane. These properties are, at their closest point, some 220m to the nearest cabin. At this distance and given the scale of the cabins it is considered that there is no detrimental impact upon their amenity. The other developments associated with this proposal are to the north of the existing Congham Hall building and sited behind established trees.

The use of the cabins is in association with the overall planning unit (Hotel complex) and would not cause disturbance to residential neighbours that is worthy of refusing the application. Should members consider the need to impose a condition on the way in which unruly patrons are managed, then the agent has submitted an addendum to the Operational statement covering such management. Although it is worth noting that such issues are covered under other legislation.

The agent has noted the comments made in regards to lighting and has provided a generic lighting scheme that acknowledges the complex's setting. In order to mitigate against the proposal becoming unduly lit, all lighting equipment is to consider the level of illumination and colour, the shielding of exterior luminaries to limit the spread of light, timing of the lighting of pathways could be controlled and the installation of motion detectors. At this stage the detail of the lighting scheme has not yet been finalised and accordingly a lighting scheme condition is to be imposed.

Given the scale of the development, it is considered that a construction management plan condition will be imposed in order to limit disturbance to local residents during the construction phase/s.

### **Other Material Issues**

A phase one contamination report was submitted with the application. Following analysis of the report the Environmental Quality team do not require any conditions imposed in regards to contamination.

The proposal does not set a precedent as each site has its own inherent characteristics and issues. Should further development of the site occur then this will be the subject of a separate application, which will be determined in accordance with the development plan, or other material considerations at the time of determination.

The holiday cottages will be conditioned so they are used for such purposes only and not as independent dwellings.

There are no archaeological implications.

The application is not required to contribute towards, CIL, given the nature of the use. Impact on the local doctors surgery is no reason to object to this application.

## **CONCLUSION**

In principle development plan policy supports rural business such as this one, and their expansion. However this support needs to be considered against other impacts, such as the impact upon the countryside, or the parkland setting of this hotel.

Members will therefore need to consider whether the economic benefits of this proposal outweigh any harm caused to the landscape setting of the Congham Hall and the wider countryside.

The layout, scale and appearance of the various phases of development have been well considered and provides an overall scheme that only has a limited detrimental impact upon the wider landscape setting.

Whilst the proposal is of a significant scale in respect to the current facilities at Congham Hall. It's your officer's opinion that the proposal to entrance this successful hotel facility, and provide 44 jobs has not come at a cost any harm to the wider landscape.

Through imposing conditions in regards to ecology, arboricultural implications, lighting, drainage and highways conditions it is considered that the proposal should be granted permission, and is in conformity with the NPPF, Core Strategy and the Site Allocations and Development Management Policies Plan.

## **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:-
  - Site Plan Proposed - drawing no. 020 P02 dated 14th November 2016
  - Overall Landscape Masterplan - 382-PA-04B dated February 2017
  - Site Plan Proposed Part 1 - Hotel - drawing no. 021 P01 dated 14th November 2016

- Proposed Site Plan - Part 2 - Orchard/Garden drawing no. 022 P01 dated 14th November 2016
- Proposed Site Plan - Part 3 - Parkland drawing no. 023 P01 dated 14th November 2016
- Proposed Site Plan Part 4 - Woodland drawing no. 024 P01 dated 14th November 2016
- Proposed Site Plan Part 5 - Entrance drawing no. 025 P01 dated 14th November 2016
- Proposed Pool Building Ground Floor - drawing no. 050 P01 dated 15th November 2016
- Proposed Spa Building Proposed First Floor Plan - drawing no.051 P01 dated 15th November 2016
- Proposed Pool Building Proposed Elevations Pg 1 - drawing no.052 P01 dated 15th November 2016
- Proposed Pool Building Proposed Elevations Pg 2 - drawing no.053 P01 dated 15th November 2016
- Proposed Pool Building - Proposed Elevations Pg 3 - drawing no.054 P01 dated 15th November 2016
- Proposed Spa Building - Plans and Elevations drawing no.060 P01 dated 15th November 2016
- Proposed Orchard Cabin type 1 and 2 drawing no. 061 P01 dated 15th November 2016
- Proposed Garden Store Plans and Elevations drawing no. 67 P01 dated 15th November 2016
- Proposed Staff Building and Elevations - drawing no.068 P01 dated 15th November 2016
- Site Layout (West) drawing no. 382-PA-051B dated February 2017
- Site Layout (East) drawing no. 382-PA-052B dated February 2017
- Detailed Area - Orchard and Garden drawing no. 382-PA-061B dated February 2017
- Parkland Cabins 1 Plans and Elevations - drawing no.062 dated 15th November 2016
- Parkland Cabins 2 - Plans and Elevations drawing no.063 dated 15th November 2016
- Parkland Cabins 3 and 4 - Plans and Elevations drawing no.064 dated 15th November 2016
- Woodland Cabins 2 bed - drawing no. 065 dated 15th November 2016
- Woodland Cabins 3 bed - drawing no. 066 dated 15th November 2016
- Planting Plan (West) drawing no. 382-PA-071A dated February 2017
- Planting Plan (East) drawing no. 382-PA-072A dated February 2017
- Proposed Phasing Plan drawing no. 080 P01 dated 30th January 2017

2 Reason For the avoidance of doubt and in the interests of proper planning.

3 Condition The cabins and lodges hereby approved shall be occupied for holiday purposes only and shall be made available for rent or as commercial holiday lets. 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 these available at all reasonable times to the Local Planning Authority.

3 Reason In order that the Local Planning Authority may retain control over the use of the premises where an alternative use otherwise permitted by the above mentioned Order would be detrimental to the amenities of the locality.

- 4 Condition Notwithstanding details as shown on 382-PA04 B - Overall landscape masterplan, drawing no.382-PA-071A, 382-PA-072A and landscape and design statement, prior to the first use of each phase hereby approved on phasing plan 080 P01, full details of both and soft landscape works for that respective phase 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, structures including gates and fencing and other minor artefacts. Soft Landscaping 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. All hard and soft landscaping works for each phase shall be carried out in accordance with the approved details prior to the first use of that particular phase. Any trees or plants that within a period of 5 years from the completion of development dies, 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 originally planted, unless the Local Planning Authority gives written approval to any variation.
- 4 Reason To ensure that the work is carried out within a reasonable period in accordance with the NPPF.
- 5 Condition Notwithstanding details received in the Lighting Approach and Design Strategy 2017, prior to the first use of each phase of the development as shown on 080 P01, a detailed outdoor lighting scheme shall be submitted to and approved in writing by the Local Planning Authority. The scheme shall include details of the type of lights, the orientation/angle of the luminaries, the spacing and height of the lighting columns, the extent/levels of illumination over the site and on adjacent land, and the measures to contain light within the curtilage of the site. The scheme shall be implemented in accordance with the approved scheme prior to the first use of that specific phase for which agreement is being sought. The lighting scheme shall be maintained and retained thereafter as such.
- 5 Reason In the interests of visual amenity and ecology.
- 6 Condition Notwithstanding details received in the Preliminary Ecology study received, prior to the commencement of development as shown on hereby approved, a reptile mitigation method statement shall be submitted to and approved in writing by the Local Planning Authority. The Reptile Mitigation Method Statement will need to include the type of search conducted by the ecologist into the presence of such species, details of the cutting of the grassland habitat referred to in the preliminary ecology study, and details in regards to further searches in regards to reptiles and the timing of such works to be undertaken. The agreed reptile mitigation method statement shall be carried out in accordance with its terms unless the Local Planning Authority gives written approval to any variation.
- 6 Reason In the interests of safeguarding protected species in accordance with the NPPF.
- 7 Condition Any removal of trees, hedge, and scrub shall be carried out between September to February inclusive. Should removal of such features be required outside of this period then a bird nesting survey will be required to be submitted to and approved in writing by the Local Planning Authority, prior to the removal of such features. The results of the survey shall provide for any mitigation (including the method of any external lighting on site)/ enhancement measures appropriate to the extent of any breeding bird populations recorded in order to minimise the impact of the development upon such birds both during construction and upon completion. A

timetable for the implementation/completion/maintenance of the mitigation / enhancement works shall also be submitted with the results. The mitigation/enhancement works shall be completed and maintained in accordance with the agreed details and timetable other than with the prior written approval of the Local Planning Authority or where a different mitigation scheme or timetable scheme is required.

- 7 Reason In the interests of safeguarding protected species in accordance with the NPPF.
- 8 Condition Notwithstanding details received in the preliminary ecology study received, prior to the commencement of development hereby approved details of the provision of bat, barn owl and bird boxes shall be submitted to and approved in writing by the Local Planning Authority. The details shall include the scale, siting and appearance of such boxes and a timetable to be agreed for their installation. The development shall be carried out in accordance with the agreed details and timetable unless otherwise agreed in writing by the Local Authority.
- 8 Reason In the interests of safeguarding protected species in accordance with the NPPF.
- 9 Condition Notwithstanding the information received in the Great Crested Newt Survey, prior to the commencement of development hereby approved, a Great Crested Newt Mitigation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Mitigation Method statement shall detail the method of and timetable of works in order to reduce the risk of killing or injuring great crested newts and any compensatory and/or enhancement measures required to mitigate any loss of their terrestrial habitat. The development shall be carried out in accordance with the agreed Method statement and timetable of works unless otherwise agreed in writing by the Local Planning Authority.
- 9 Reason In the interests of safeguarding protected species in accordance with the NPPF.
- 10 Condition Notwithstanding details received in the Bat Survey Report that accompanied the application. Prior to the commencement of development hereby approved (with exception of the works to the existing spa building), a specific Bat Mitigation Method Statement shall be submitted to and approved in writing by the Local Planning Authority. The Mitigation Method statement shall detail the method of and timetable of works in order to reduce the risk of killing or injuring bat species and any compensatory and/or enhancement measures required to mitigate any loss of their terrestrial habitat. The development shall be carried out in accordance with the agreed Method statement and timetable of works unless otherwise agreed in writing by the Local Planning Authority.
- 10 Reason In the interests of safeguarding protected species in accordance with the NPPF.
- 11 Condition The development hereby approved shall be carried out in accordance with the Arboricultural Impact Assessment and accompanying Appendices received 21st February 2017 unless otherwise agreed in writing by the Local Planning Authority through the specific granting of planning permission.
- 11 Reason To ensure that the existing trees are properly surveyed and full consideration is made of the need to retain trees in the development of the site in accordance with

the NPPF. This needs to be a pre-commencement condition given the potential for trees to be lost during development.

- 12 Condition Prior to the commencement of the use hereby permitted a widened vehicular and pedestrian/cyclist access crossing over the ditch / watercourse shall be constructed in accordance with a detailed scheme to be agreed in writing with the Local Planning Authority.
  - 12 Reason To ensure construction of a satisfactory access and in the interests of highway safety.
  - 13 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.
  - 13 Reason In the interests of highway safety.
  - 14 Condition Prior to the commencement of the use hereby permitted a visibility splay measuring 2.4 X 59 metres shall be provided to each side of the access where it meets the highway and such splays shall thereafter be maintained at all times free from any obstruction exceeding 0.225 metres above the level of the adjacent highway carriageway.
  - 14 Reason In the interests of highway safety.
  - 15 Condition Prior to the commencement of the use hereby permitted the proposed access / on-site car 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.
  - 15 Reason To ensure the permanent availability of the parking / manoeuvring area, in the interests of highway safety.
  - 16 Condition Development shall not commence until a scheme detailing provision for on site parking for construction workers for the duration of the construction period has been submitted to and approved in writing by the Local Planning Authority. The scheme shall be implemented throughout the construction period.
  - 16 Reason To ensure adequate off street parking during construction in the interests of highway safety.
- This also needs to be a pre-commencement condition as it deals with safeguards associated with the construction period of the development.
- 17 Condition The provision of an emergency fire-vehicle route as indicated on the approved plans shall be limited to that specific use only, and shall not be open to be used by other vehicles in connection with the use hereby approved.
  - 17 Reason For the avoidance of doubt and in the interests of highway safety
  - 18 Condition Notwithstanding details received, prior to the commencement of development on each phase hereby approved, full details of the foul water drainage details for that particular phase of development shall 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 phase of development hereby permitted is brought into use.

- 18 Reason To ensure that there is a satisfactory means of drainage in accordance with the NPPF.

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

- 19 Condition Notwithstanding details received (drainage strategy Rossi Long consulting, ref: 161259 dated February 2017 including additional supporting information received by the Local Planning Authority on the 3rd July 2017), prior to commencement of each phase of development hereby approved, detailed designs of a surface water drainage scheme incorporating the following measures shall be submitted to and agreed with the Local Planning Authority. The approved scheme/s will be implemented prior to the first occupation of the phase of development to which it relates. The scheme/s shall include the following details:

- That development must demonstrate it will not increase flood risk downstream.
- Detailed supporting information showing that flood water from elsewhere can be accommodated on site without flooding people, property or infrastructure in a 1 in 30 and 1 in 100 year plus climate change rainfall event.
- Provision of detailed flood and drainage design drawings for the proposed drainage system, showing all dimensions and locations of the SuDS features.
- Plans showing the routes for the management of exceedance surface water flow routes that minimise the risk to people and property during rainfall events in excess of 1 in 100 year return period to need to be provided. Flood levels associated with the drainage system should not be less than 300mm below the finished ground floor levels.
- A maintenance and management plan detailing the activities required by Congham Hall to maintain all the surface drainage features of the lifetime of the development.

As part of the submission the applicant will need to provide evidence to demonstrate that the proposals for surface water management associated with overland flow are sufficient to prevent an increase in the risk of flooding elsewhere as a result of increased speed of runoff through the development; and, appropriately integrate within the development layout the ingress, through flow and egress of surface water flow path exceedance routes identified as affective the development site.

- 19 Reason To prevent flooding in accordance with the NPPF paragraph 103 and 109.
- 20 Condition Prior to commencement of each phase of development hereby approved, a detailed construction management plan must be submitted to and approved in writing by the Local Planning Authority; this must include proposed timescales and hours of construction phase, the location of any fixed machinery, site delivery/collection times, control measures re construction traffic and proposed mitigation methods to protect residents from noise and dust. The scheme shall be implemented as approved.
- 20 Reason To ensure that the amenities of future occupants are safeguarded in accordance with the NPPF.
- 21 Condition No development shall take place on any external surface of the development in each phase hereby permitted until samples of the materials to be used in the

construction of the external surfaces of the building(s) 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.

- 21 Reason To ensure a satisfactory external appearance and grouping of materials in accordance with the principles of the NPPF.
- 22 Condition Prior to the commencement of the development on the existing spa building, a survey to identify the extent of any bat populations within this building shall be undertaken in accordance with a written survey proposal, which shall have been submitted to, and approved in writing by, the Local Planning Authority prior to the survey taking place.
- 22 Reason To identify the extent of any Bat populations in accordance with central government policy as expressed in the NPPF and Core Strategy Policy CS12 of the LDF.
- 23 Condition The results of the survey required under Condition 22 above shall be submitted to and agreed in writing by the Local Planning Authority prior to the commencement of the development in relation to the existing spa building hereby permitted. The results shall also provide for any mitigation/enhancement measures appropriate to the extent of any bat populations recorded in order to minimise the impact of the development upon the bats both during construction and upon completion. A timetable for the implementation/completion/maintenance of the mitigation/enhancement works shall also be submitted with the results. The mitigation/enhancement works shall be completed and maintained in accordance with the agreed details and timetable, other than with the prior written approval of the Local Planning Authority.
- 23 Reason To identify the extent of any bat populations in accordance with central government policy as expressed in the NPPF and Core Strategy policy CS12 of the LDF.